



Planning Committee Date	29 th March 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04755/FUL
Site	Land R/O 40 and 42 Natal Road, Cambridge
Ward / Parish	Romsey
Proposal	Erection of new dwelling following demolition of existing garage
Applicant	Mr. Natu Pankhania
Presenting Officer	Tom Chenery
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Impact on the Character and Appearance of the area 2. Neighbouring Amenity 3. Highways
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks to demolish the garage associated with No.40 Natal Road and erect a new two storey dwelling in its place.
- 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 not have any significant adverse effect upon the Public Highway and would not result in any undue highways safety implications.
- 1.5 Officers recommend that the Planning Committee Approve the application.

2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 2	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	
Airport Safeguarding Zone	X		

*X indicates relevance

- 2.1 The applications site comprises the rear garden space, single storey garage building and parking area associated with No.40 Natal Road, Cambridge. Access is available from Perne Road to the west.
- 2.2 To the north of the site are No's 40 and 42 Natal Road, which are two storey semi-detached dwellings with frontages on to Natal Road to the north.
- 2.3 Immediately to the south of the site is a parcel of land is 200 Perne Road which is currently under construction for two semi detached dwellinghouses which was approved under application reference 21/04797/FUL.

- 2.4 Further to the south are residential dwellings with frontages on to Perne Road which are two storey semi detached dwellings and modest rear gardens.

3.0 The Proposal

- 3.1 Erection of new dwelling following demolition of existing garage.
- 3.2 The proposal seeks to demolish the existing single storey garage outbuilding which is associated with No.40 Natal Road to the north and erect a two storey dwelling. The dwelling would have a floor area of 132m² and a garden amenity area of 115m². Access would be gained from Perne Road to the west.

4.0 Relevant Site History

Reference	Description	Outcome
22/03492/FUL	Erection of 2no. dwellings following demolition of existing garage	Refused
C/81/0759	The erection of one detached single storey dwelling unit	Refused – Appeal Dismissed
C/83/0508	Erection of detached bungalow	Refused
C/83/0787	Erection of two-storey extension to existing dwellinghouse	Approved
C/02/0253	Change of use from residential to Guest House including minor alterations and additional car parking layout	Refused
10/0796/FUL	Conversion and alterations to roof to create 2no one bedroom flats	Refused
14/0050/FUL	Change of use from HMO to four flats(one x 2-bed and three x 1-bed), works to include a side extension and a rear dormer. Erection of one (1-bed) bungalow to rear (following demolition of existing garage) and erection of bin and bike storage facilities	Refused
21/04797/FUL	Erection of 2no. dwellings following demolition of existing bungalow	Approved
C/87/0090	Erection of Double Garage in rear garden	Approved

- 4.1 Planning permission was sought for the erection of two dwellinghouses under application reference 22/03492/FUL which was refused for two reasons:
1. The proposed development by virtue of its excessive scale and unsympathetic design would result in an unduly intrusive form of development that would be cramped and contrived within the plot, would be at odds with the established streetscene and would be an overdevelopment of the site which would cause harm to the character and appearance of the area. The proposal would be contrary to Section 12 of the NPPF and Policy 57 of the Cambridge Local Plan (2018).
 2. Due to the excessive scale of the proposal and its close proximity to the neighbouring property (No.40 Natal Road) the proposal would result in an unacceptable overbearing impact to the rear garden amenity space of this adjacent neighbour and would cause an unacceptable impact on their amenity and living conditions. The proposal would be contrary to Section 12 of the NPPF as well as Policy 58 of the Local Plan.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

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 29:	Renewable and low carbon energy generation
Policy 31:	Integrated water management and the water cycle
Policy 32:	Flood risk
Policy 33:	Contaminated land
Policy 34:	Light pollution control
Policy 35:	Protection of human health from noise and vibration
Policy 36:	Air quality, odour and dust
Policy 37:	Airport safety and safeguarding
Policy 50:	Residential space standards
Policy 51:	Accessible Homes
Policy 52:	Protecting garden land and the subdivision of existing dwelling plots
Policy 55:	Responding to context
Policy 56:	Creating successful places
Policy 57:	Designing new buildings
Policy 59:	Designing landscape and the public realm
Policy 69:	Protection of sites of biodiversity and geodiversity importance
Policy 70:	Protection of priority species and habitats
Policy 71:	Trees
Policy 80:	Supporting sustainable access to development
Policy 81:	Mitigating the transport impact of development
Policy 82:	Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No Objection subject to recommended conditions

6.3 Cambridge Airport – No Objection

6.4 The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We, therefore, have no objection to this proposal.

6.5 Sustainable Drainage Officer – Comments Made

6.6 Further information required regarding flood resilience

6.7 Environmental Health – No Objection

6.8 Subject to recommended conditions

7.0 Third Party Representations

7.1 1 representation has been received.

7.2 Those in objection have raised the following issues:

- Highway safety
- Car parking and parking stress

8.0 Member Representations

8.1 Cllr Baigent has made a representation neither objecting to or supporting the application on the following grounds:

- Location of car on submitted plans

8.2 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.

9.0 Assessment

9.1 Principle of Development

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

9.3 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.

9.4 Policy 37 of the Local Plan sets out that development, including change of use, which is likely to lead to an increase in the number of people living, working or congregating on land within the Cambridge Airport Public Safety Zone, as identified on the Policies Map, will not be permitted. The

purpose of the Public Safety Zone (PSZ) is to restrict development in order to minimise the number of people on the ground at risk in the event of an aircraft crash on take-off or landing. The site falls within the safety zone as identified on the Local Plan and at face value is therefore unacceptable in principle. However, the Department for Transport (DfT) provided an update (DfT Circular 01/2010) in October 2021 which altered the way PSZ's are drawn and the as such the application site is now outside of the newly defined PSZ criteria. Cambridge Airport have also confirmed the proposal does not conflict with safeguarding criteria. This matter is further assess in section 9.93 of the report.

- 9.5 The application is a further submission to previously refused planning application 22/03492/FUL which was refused on the grounds that the proposal cause harm to the character and appearance of the area as well as the amenity of neighbouring occupiers. Although the scheme is now for one dwelling, this application is a material consideration to which the reasons for refusal must be overcome.
- 9.6 The principle of the development is in accordance with policies 3 and 52 of the Local Plan and is acceptable in principle provided the proposal overcomes the previous reasons for refusal of planning application is 22/03492/FUL. It is therefore important to assess the proposals impact on the character and appearance of the area, impact upon neighbouring properties and any other material impacts.

9.7 Design, Layout, Scale and Landscaping

- 9.8 Policies 55, 56, 57 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.
- 9.9 The proposal seeks to demolish the existing garage associated with No.40 Natal Road and erect a single dwelling within the rear garden space to the rear of No's. 40 and 42 Natal Road.
- 9.10 The site is located near the junction of Natal Road and Perne Road. The surrounding streetscene (Perne Road and Natal Road) and context ranges in scale and architectural stylings. The site would have an access and frontage on to Perne Road from which dwellings are set back from the highway by virtue of grassed public amenity space and a footpath. They benefit from modest frontages of which most dwellings have converted to off street allocated parking. The dwellings on Perne Road are predominantly two storey in scale with similar architectural stylings.
- 9.11 Natal Road straddles either side of Perne Road and also has a variety of dwelling types, some bungalow style dwellings but predominantly consists of two storey terraced dwellings.

- 9.12 A recent planning application (Reference 21/04797/FUL) at the adjacent site to the south recently gave approval for the demolition of an existing bungalow and the erection of 2 no. two and a half storey dwellings. The proposal seeks to be similar in scale and appearance to the approved dwellings to the south.
- 9.13 A planning application on the same site sought to erect two semi-detached dwellings on the site, one bungalow one bungalow style dwelling which was closest to the northern boundary of the site and a two storey dwelling which was located closest to the southern boundary. This was refused due to its impact on the character and appearance of the area.
- 9.14 The development within this application seeks to remove the bungalow style dwelling on the northern boundary so that the development would consist of one two storey dwelling which benefits from a single storey outrigger to the side/northern elevation. The proposal would be highly visible to the streetscene from the front and from public views.
- 9.15 The proposed dwelling itself would be a scale and design similar to the recently approved dwellings to the south although would be slightly smaller in scale and would benefit from a single storey side outrigger.
- 9.16 The proposal would be within a plot size similar to those to the south as well as other dwellings to the east No. 46a Natal Road and No.200b Perne Road. As a result, the proposal is considered to be of a height, scale and form that would have a positive impact on their setting and would relate acceptably to the immediate and wider character and appearance of the area.
- 9.17 Due to the scale of the dwelling, its plot size and highly prominent location, it is necessary to remove permitted development rights for extensions (Class A), roof extensions (Class C) as well as outbuildings (Class E) so that any additions permitted under these classes in the General Permitted Development Order 2015 does not cause harm to the character and appearance of the area.
- 9.18 Overall, the proposed development would overcome the previous reason for refusal 1 of application 22/03492/FUL by reason of its reduced scale and is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59 and the NPPF.

9.19 Amenity

- 9.20 Policy 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.

- 9.21 The previous application 22/03492/FUL was refused on the grounds that the scale of the proposal and its proximity to the neighbouring property would cause harm to the amenity of the neighbouring occupier.
- 9.22 The original proposal was located some 1.2m from the shared boundary with No.40 Natal Road and had a greater height than the proposal (ridge height of 6.6m and 3.3m to the eaves). The scheme within this application is located some 3.3m from the shared boundary and would have a ridge and eaves height of some 3m.
- 9.23 Neighbouring Properties
- 9.24 The principal dwellings to be impacted by the proposal are No's 40 and 42 Natal Road, and the approved dwellings to the south under application reference 21/04797/FUL. Work has commenced on the approved dwellings and as such the impact upon them is a material consideration. For the purposes of this application the approved dwellings will be referenced as 200 and 200a Perne Road.
- 9.25 *Impact on No. 40 and 42 Natal Road.*
- 9.26 The proposal would be located some 3.3m from the shared boundary with No.40 and 42 Natal Road to the north and some 10m from the dwellings themselves.
- 9.27 Due to the reduction in scale of the proposal, coupled with the siting of the proposal, its design and the separation with the adjacent neighbours to the north, the proposal is not considered to cause any undue loss of light, outlook or appear overbearing to the neighbouring properties No.40 and No.42 Natal Road.
- 9.28 The proposal would seek to have a window at ground floor level which would face No.40 and No.42 Natal Road. Due to the height of this window and the 2m high boundary treatment that would separate the proposal, this window is not considered to cause any undue loss of privacy to either No.40 or No.42 Natal Road.
- 9.29 As outlined above, the proposal is not considered to cause any undue harm to the amenity or living conditions of No's.40 and 42 Natal Road.
- 9.30 *Impact on No's 200 and 200a Perne Road*
- 9.31 The proposed dwelling would be located some 1.2m from the approved dwellings to the south No.200 and 200a Perne Road. The proposed

dwelling would not extend from the rear building line of either of the approved dwellings and as such would not result in any undue loss of light or appear overbearing to these adjacent properties.

- 9.32 The proposal would seek to have two high level windows which would directly face the side/northern elevation of the approved dwellings. The submitted plans indicate that these windows would be obscurely glazed and as such they would not result in any loss of privacy to the adjacent approved dwellings to the south.
- 9.33 For the reasons outlined above, the proposal would not cause any undue harm to the amenity or living conditions of No's 200 and 200a Perne Road.
- 9.34 *Impact on other neighbouring properties*
- 9.35 To the rear/east of the application site are a number of residential dwellings (No.44, 46 and 46a Natal Road). The proposal is far enough removed from these neighbouring dwellings so that it would cause any undue loss of light, overshadowing or appear overbearing to these nearby properties.
- 9.36 The proposal would benefit from a window/rooflights on the rear elevation that would directly face the rear gardens of these adjacent properties. The proposed window would face the back of the rear gardens and would not directly face the assumed garden amenity area of these neighbouring properties. In addition to this, No.46a is located 28m to the rear of the site. This dwelling is located far enough away that the window would not cause any undue loss of privacy to this neighbouring property.
- 9.37 Although the proposal would likely not cause any harmful overlooking impact, in order to protect ensure privacy of adjacent neighbouring properties, it is necessary to add a condition to any permission given that would restrict the rear window to be obscurely glazed and non opening 1.7m above floor level.
- 9.38 Therefore, for the reasons outlined above and subject to conditions, the dwelling would not cause any undue harm to the amenity or living conditions of No's 44, 46 or 46a Natal Road. All other neighbours are far enough removed from the proposal that it would not cause harm to their amenity or living conditions.
- 9.39 Future Occupants
- 9.40 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).

9.41 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m²)	Proposed size of unit	Difference in size
1	3	5	2	93m2	132m2	+39m2

9.42 Garden Size(s)

9.43 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

9.44 The proposal would provide 115m2 of private garden amenity space and as such would comply with this policy regarding outdoor private amenity space.

9.45 The proposal would result in the subdivision of the rear garden space of No.40 Natal Road. No.40 benefits from a large garden space compared to that of adjacent neighbouring properties. The proposal would result in No.40 Natal Road having a total of 61m2 of rear garden space which is similar to adjacent dwellings within the immediate area and would be of a scale that would provide an acceptable level of external amenity to the occupiers of this property.

9.46 The proposal would not alter the garden space associated with No.42 Natal Road and as a result, this garden size would remain the same.

9.47 The proposal would comply with Policy 50 regarding private amenity space.

9.48 Due to the scale of the dwelling, its plot size and its relationship with adjacent properties, it is necessary to remove permitted development rights for extensions (Class A), roof extensions (Class C) as well as outbuildings (Class E).

9.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2). The proposal would comply with requirements set out in Building Regulations part M4(2).

9.50 Construction and Environmental Impacts

- 9.51 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 9.52 The Council's Environmental Health team have assessed the application and has not objected to the scheme subject to the imposition of several conditions regarding construction and demolition hours as well as details regarding piling. These conditions are considered necessary in order to protect the amenity of neighbouring properties and should be applied to any permission given.
- 9.53 Summary
- 9.54 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.

9.55 Highway Safety and Transport Impacts

- 9.56 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 do not have an unacceptable transport impact.
- 9.57 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.
- 9.58 Access to the site would be via Perne Road to the west of the application site. The proposal would utilise the existing access from Perne Road and this would not be altered as a result of this application.
- 9.59 An objection has been received from a local resident regarding further vehicular access at the site and that the proposal would result in an intensification of the use which would cause highways safety implications.

- 9.60 The access at present allows for the residents of No.40 Natal Road to use their garage and parking to the rear. Although the proposal would result in an additional dwelling, the access will only be used by 1 residential dwelling and would not increase ingress or egress than what already exists. As such it would not result in an intensification of this access.
- 9.61 The Local Ward Councillor, Cllr Baigent has commented on the scheme querying whether the location of the car parking. The proposal is located in such a location in order for the proposal to achieve the required visibility splays and for any vehicle to not encroach on to the public highway.
- 9.62 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. These conditions are considered to be reasonable and necessary to ensure the proposal does not result in any highways safety implications.
- 9.63 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.

9.64 Cycle and Car Parking Provision

- 9.65 Cycle Parking
- 9.66 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. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.67 Plan No. P(011) Rev P2 indicates that the cycle parking will be located at the front on the northern boundary. The proposal would be a 3 bedroom property and as such would be required to provide 3 cycle parking spaces. The proposed plans indicate that there would be 3 cycle parking spaces and as such would comply with Policy 82 and appendix L of the Local Plan.
- 9.68 Car parking
- 9.69 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. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a

maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.

- 9.70 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking.
- 9.71 The proposal would provide 1 off street allocated parking space. Plan Number P(011) Rev P2 highlights that there would be a EV charging point at the front of the dwelling. As the dwelling provides 1 allocated parking space for a 3 bedroom dwelling outside a controlled parking zone, the proposal would comply with Policy 82 and Appendix L in this regard.
- 9.72 Overall, 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.

9.73 Water Management and Flood Risk

- 9.74 Policies 31 and 32 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.
- 9.75 The site is in Flood Zone 2 and is therefore considered at medium risk of flooding.
- 9.76 The applicants have submitted a Flood Risk Assessment with the application.
- 9.77 The Council's Sustainable Drainage Engineer has advised further information regarding flood resilience measures and a plan is required.
- 9.78 The Sustainable Drainage Engineers comments are noted, however this information can be required by condition and it is therefore necessary to add a condition which requires the applicant to provide this detail prior to the commencement of any development.
- 9.79 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 31 and 32 and NPPF advice.

9.80 Carbon Reduction and Sustainable Design

- 9.81 The Council's 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.
- 9.82 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day.
- 9.83 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 9.84 Section 4.4 of the applicants Design and Access statement highlights how the proposal will be a sustainable property. It indicates that the proposal will achieve a reduction in CO2 emissions of 19% below the Target Emission Rate stated within Part L of the Building Regulations. It states that this will be achieved through high levels of thermal insulation, Mechanical Ventilation Heat Recovery, Waste Water Heat Recovery and the potential for Solar Panels on the roof.
- 9.85 It is accepted that the proposed sustainability actions to reduce carbon emissions are acceptable and may achieve the required reductions in order to comply with Policies 28 and 29 of the Local Plan. In order to ensure this is the case, it is necessary to add a condition which requires the applicant to provide a sustainability statement which provides further information regarding how the proposal would achieve the reduction in CO2 emissions.
- 9.86 In order to ensure the proposal achieves the Carbon and Water reduction requirements as set out in Policies 28 and 29 it is necessary to add conditions to any permission given that would require the proposed dwelling to comply with these policies.
- 9.87 Subject to these conditions, the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

9.88 Biodiversity

- 9.89 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires 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 is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or

compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 9.90 The application site is located on an area of hardstanding and currently does not provide any ecological benefits.
- 9.91 The Greater Cambridge Biodiversity SPD indicates that proposals much aim to maintain enhance and restore or add to biodiversity and should obtain a Biodiversity Net Gain of 10%. No information has been provided with the application which relates to Biodiversity Net Gain. Nonetheless, given the proposal seeks to develop a residential garden which has limited biodiversity impacts, in order to secure a 10% Biodiversity Net, Gain a condition could be added to any permission given requiring this information prior to any above ground development.
- 9.92 Officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).
- 9.93 **Airport Safeguarding Zone**
- 9.94 The application site is located within the Cambridge Airport Public Safety Zone, as identified on the Policies Map.
- 9.95 Policy 37 of the Local Plan sets out that development, including change of use, which is likely to lead to an increase in the number of people living, working or congregating on land within the Cambridge Airport Public Safety Zone, as identified on the Policies Map, will not be permitted.
- 9.96 The site falls within the safety zone as identified on the Local Plan. The Department for Transport (DfT) provided an update (DfT Circular 01/2010) in October 2021 which altered the way PSZ's are drawn and the as such the application site is now outside of the newly defined PSZ criteria.
- 9.97 An application directly adjacent to the application site at 200 Perne Road (21/04797/FUL) also fell within this Cambridge Airport Public Safety Zone. The site now falls outside due to the amended government guidance. Cambridge Airport were consulted on that scheme and raised no objection.
- 9.98 Cambridge Airport have been consulted as part of this application and have also raised no objection stating that the proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

- 9.99 As the application site is now outside of the newly defined PSZ criteria Policy 37 does not apply. Cambridge Airport have also confirmed that there is no conflict with the safeguarding criteria. The proposal is acceptable in this regard.

9.100 Other Matters

- 9.101 Bins

- 9.102 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

- 9.103 The submitted plans indicate a bin storage area to the rear of the site and as such the proposal is considered to comply with Policy 57.

9.104 Planning Balance

- 9.105 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).

- 9.106 The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area and would not cause harm to the amenity and living conditions of neighbouring properties as well as future occupiers. The proposal would provide a sustainable dwelling. The development would provide an acceptable amount of car and cycle parking.

- 9.107 Due to the revisions of the government guidance regarding Public Safety Zones, the proposal is not considered to fall within an area at risk and Policy 37 does not apply.

- 9.108 The proposal is located in Flood Zone 2 but a condition requiring resilience measures would ensure the proposal is not at risk of any fluvial flooding or would impact on any other adjacent properties.

- 9.109 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.

10.0 Recommendation

- 10.1 **Approve** subject to:

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

11.0 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).

4. 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).

5. 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).

6. Notwithstanding the approved plans, the building hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

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

7. The proposed green/biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:
 - a) 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.
 - b) With suitable access for maintenance.
 - c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

8. 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 minimum 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 appropriate DEFRA metric in force at the time of

application for discharge; 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 appropriate DEFRA metric in force at the time of application for discharge; 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 DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

9. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwelling house(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57) and 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)).

10. Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 enlargement, improvement or other alteration of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

11. Notwithstanding the provisions of Schedule 2, Part 1, Class B 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), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

12. No above ground development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance

for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

13. 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).

14. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved statement.

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

15. Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall be within land under the control of the applicant and not within the adopted public highway. The splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.

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

16. The proposed drive way must 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. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent

the same must be provided. The proposed slot drain has the potential to easily block and thus permit water to flow directly onto the adopted public highway, also no connexion to a drain or infiltration system is shown.

Reason: for the safe and effective operation of the highway (Section 9 NPPF)

17. Prior to commencement of development a scheme providing details of the flood resilience measures and a flood resilience plan that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

Reasons: To reduce the risk of flooding to the proposed development and future occupants. Section 14 NPPF and Policy CC/9 of the Local Plan

18. The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be 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. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

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

19. Prior to the occupation of the development, hereby permitted, the first floor windows on the rear/eastern elevation shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57)

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 SPD

