



<b>Planning Committee Date</b>	02/08/2023
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference Site Ward / Parish</b>	23/00199/FUL 145 Perne Road Coleridge
<b>Proposal</b>	Change of use of existing HMO to 4 No. flats including two storey rear extension and new bin and bike store.
<b>Applicant Presenting Officer Reason Reported to Committee</b>	Mr P Sodha Laurence Moore Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Previous Permissions 2.Residential amenity of future occupiers 3.Residential amenity of neighbouring occupiers
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks Change of use of existing HMO to 4 No. flats including two storey rear extension and new bin and bike store.
- 1.2 The flats are intended for the sole use of persons subject to physical disabilities, learning disabilities, and autism and mental health problems.
- 1.3 The previous application was refused by the Council yet allowed at appeal. The permission granted under appeal has not lapsed, and so still holds a considerable amount of weight within this assessment.
- 1.4 The current proposals constitute limited changes to the scheme approved under appeal. The changes include the internal addition of a second storey to the approved two-storey extension, the addition of two additional bedrooms to flat 3 be contained within the additional storey of the approved two-storey rear extension and the addition of Velux windows to the north and south roof slopes of the approved two-storey rear extension.
- 1.5 The proposed additional bedrooms will allow for 3 additional bedspaces for flat 3 which is considered a marginal increase in use.
- 1.6 The proposed Velux windows are not considered to grant any additional overlooking opportunities.
- 1.7 Bikes and bins are located as approved under appeal.
- 1.8 Several conditions relating to sustainability, landscaping arrangements, privacy, access, design and biodiversity have been recommended as part of this recommendation.
- 1.9 Officers recommend that the Planning Committee approve this application subject to the conditions outlined within this report.

## 2.0 Site Description and Context

None-relevant	x
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\*X indicates relevance

- 2.1 The property is a detached two-storey dwelling on Perne Road which is in use as a house in multiple occupation containing six bedrooms. There are two large outbuildings to the rear of the property. There is hardstanding to the front of the property which can accommodate three vehicles.
- 2.2 The site is within a primarily residential area in the Cambridge Local Plan (2018). The site is not situated within a conservation area or controlled parking zone.

2.3 North of the site consists of neighbouring property 147 Perne Road, further north of the site consists of residential properties Perne Road. East of the site consists of Perne Road and associated residential properties, whereas further east of the site consists of Tiverton Way, a residential street. South of the site consists of the Perne Road, Birdwood Road, Radegund Road roundabout. West of the site consists of Coleridge Community College and Ridgefield Primary School which front Radegund Road.

### **3.0 The Proposal**

- 3.1 Change of use of existing HMO to 4 No. flats including two storey rear extension and new bin and bike store.
- 3.2 Limited changes to the scheme approved under appeal which was allowed in 2022 for a change of use of existing HMO to 4no flats, (2x 2bed, 2x 1 bed) including two storey rear extension. New bin and bike store.
- 3.3 The changes made to the approved scheme include an increase in maximum occupancy of flat 3 from 2 bedrooms to 4 bedrooms, with an additional storey added within the previously approved two storey extension.
- 3.4 The external changes made to the approved scheme include additional windows within the north and south roof slopes of the approved extension, to ensure the additional bedrooms proposed can be habitable.
- 3.5 The application has been amended as the previously submitted floorplans did not account for the 1.5m minimum floor height and the implications on space standards. To ensure the development complies with spaces standards, the maximum occupancy of flat 3 has been decreased by 1no. persons

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
22/05005/S73	S73 application to vary conditions 2 (Approved plans) and 3 (Materials) of planning ref 19/1467/FUL (Change of use of existing HMO to 4no flats, (2x 2bed, 2x 1 bed) including two storey rear extension. New bin and bike store) Flat 3 modified to 4 bedroom unit	WDN

19/1467/FUL

Change of use of existing HMO to 4no flats, (2x 2bed, 2x 1 bed) including two storey rear extension. New bin and bike store

Allowed at appeal

- 4.1 Application reference 19/1467/FUL, was refused by a previous officer in 2021, due to concerns over adverse impacts to the residential amenity of neighbouring occupiers caused by overlooking, in addition to concerns over the amenity of neighbouring occupiers stemming from issues relating to external amenity space.
- 4.2 The application was then allowed under appeal in 2022, and the concerns outlined above were not considered to allow for adverse impacts on the amenity of neighbouring occupiers or future occupiers of the site.
- 4.3 Application reference 22/05005/S73, sought the changes submitted as part of this application. Whilst the changes are limited, they would constitute a material change and would require an alteration of the approved description of development, the application was withdrawn as the changes could not be achieved within a s73, which allows for minor material amendments only and does not allow for description changes.
- 4.4 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix 1.
- 4.5 The application proposed seeks limited changes to the scheme approved under appeal, which has not lapsed and so still holds considerable weight as part of this assessment.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Equalities Act 2010

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

Technical Housing Standards – Nationally Described Space Standard (2015)

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 28: Carbon reduction, community energy networks, sustainable design and construction, and water use  
Policy 29: Renewable and low carbon energy generation
- Policy 31: Integrated water management and the water cycle  
Policy 32: Flood risk
- Policy 35: Protection of human health from noise and vibration  
Policy 36: Air quality, odour and dust
- Policy 47: Specialist housing  
Policy 50: Residential space standards  
Policy 51: Accessible Homes  
Policy 53: Flat conversions
- Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 59: Designing landscape and the public realm
- Policy 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

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

## 5.5 Other Guidance

North West Cambridge Area Action Plan (adopted October 2009)  
Cambridge East Area Action Plan (adopted February 2008)  
Cambridge Southern Fringe Area Action Plan (adopted February 2008)

N/A

## **6.0 Consultations**

### **6.1 County Highways Development Management – No Objection**

6.2 “Following a careful review of the documents provided to the Highway Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.”

### **6.3 Environmental Health – Object / No Objection**

6.4 No objection subject to the condition outlined below:

Construction Hours

## **7.0 Third Party Representations**

7.1 1 representation has been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Residential amenity impact (foot traffic, loss of light)
- Ownership/Party Walls

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 Assessment**

### **8.1 Principle of Development**

8.2 The application proposes the conversion of existing HMO into 4 no. flats to include two storey rear extensions and loft extension/ conversion.

8.3 Policy 3 of the local plan states that new residential development should be located in and around the urban area of Cambridge and should make the most of previously developed land. The applications seeks the creation of additional residential space on a previously developed site and so is compliant with policy 3 of the local plan.

8.4 Policy 53 states that applications for proposed flat conversions will be permitted where:  
a. the proposed development (the original building including acceptable extensions and roof conversions) has an internal gross floor area of at least 120 sq m (excluding stairwells, balconies, external open porches,

conservatories and areas with a floor to ceiling height of less than 1.5m), and proposed room sizes meet minimum room sizes (see Policy 50);

b. the ground or lower ground floor includes a family unit (two bedroom plus) with garden access;

c. the proposal, in terms of the number of units and scale of associated extensions, would not have a negative impact on the amenity or character of the area or on highway safety in streets already experiencing parking stress;

d. the proposal would result in a good standard of amenity for its occupiers and is designed to avoid cumulative and negative impacts on neighbouring residential properties; and

e. the proposal includes appropriate refuse, recycling and cycle storage to serve the development.

8.5 The development is compliant with policy 3 and 53 and so the principle of development is considered acceptable. The following sections of this report will present the application's compliance with policy 53 of the local plan, and shall explain why the principle of development is acceptable

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

8.7 Policies 55, 56, 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.

8.8 The application site consists of an existing two-storey detached property fronting Perne Road. The site has been subject to a previous application for a similar scheme as the current proposals, which was refused. The appeal was then allowed by the inspector. This approved permission on site is still live, which means the previous scheme holds weight in support of this application.

8.9 The applications seeks the change of use from an existing HMO to 4no. flats. The proposed change of use is acceptable in principle as outlined above, due to the proposals compliance with policy 3. In addition to the above, several properties along Perne Road have been converted into self-contained flats, this point alongside the previous approval for a change of use to flats on site supports the proposed change of use as in keeping with the character of the site and surrounding areas. The proposed change of use is considered compliant with policies 3, 55, 56 and 58 of the local plan and is acceptable.

8.10 The proposed two-storey rear extension has been established as acceptable and in keeping with the character of the area within the appeal, and so are considered acceptable as other than the addition of windows and velux windows along the north and south elevations, there have been no changes to the external design elements of the scheme from the plans

previously approved. In addition to the above, the proposed two-storey rear extension is situated to the rear of the site and is primarily obscured from view of the public realm, and so is not considered to have adverse impacts on the character of the area. The proposed two-storey rear extension is not considered to result in adverse impacts on the character of the area and the drawings remain as approved, other than the addition of windows, meaning the two-storey extension is considered to be in keeping with character of the site and is therefore compliant with policies 55 and 58 of the local plan and is acceptable.

- 8.11 The two-storey side extension and associated balcony screening proposed remain as approved under appeal and so are considered acceptable.
- 8.12 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.
- 8.13 Carbon Reduction and Sustainable Design**
- 8.14 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.
- 8.15 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 and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 8.16 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.
- 8.17 A condition will be added to any permission granted requiring the submission of a Carbon Reduction Statement prior to the commencement of the use, in the interest of sustainability.
- 8.18 A condition will be added to any permission granted requiring the submission of details relating to water efficiency prior to the occupation of the development hereby approved, in the interest of minimising water consumption.
- 8.19 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with



Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

## **8.20 Biodiversity**

- 8.21 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.
- 8.22 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that (set out estimated net gain)...
- 8.23 The application constitutes a conversion and so it is not considered appropriate to request the submission of details relating to biodiversity.
- 8.24 Taking the above into account, the proposal is compliant with policies 69 and 70 of the Cambridge Local Plan (2018).

## **8.25 Highway Safety and Transport Impacts**

- 8.26 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.
- 8.27 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.
- 8.28 Access to the site would be retained as existing and so is not considered to allow for any adverse impacts on the adjacent highway.
- 8.29 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection and recommend no conditions
- 8.30 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

## **8.31 Cycle and Car Parking Provision**

- 8.32 Cycle Parking

- 8.33 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.
- 8.34 The applications makes reference to the provision of a secure covered cycle storage shelter with enough space to sufficiently accommodate 12no. bicycles. The location of cycle storage to the rear is contrary to local plan policies requiring the situation of cycle storage to be to the foront of residential properties, however, the cycle storage location proposed is as approved under appeal and so is considered acceptable.
- 8.35 Car parking
- 8.36 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 cab be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 8.37 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, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future. OR# 1 per 1,000m<sup>2</sup> 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.
- 8.38 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.

### **8.39 Amenity**

- 8.40 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.
- 8.41 Neighbouring Properties
- 8.42 Concerns have been raised from neighbouring occupiers with regards to impacts on residential amenity which would be caused by the proposed development. These concerns will be addressed below.
- 8.43 Concerns have been raised with regards to loss of light. The size, scale and overall design of the two-storey rear extension proposed remain as approved under appeal. In addition to this, the officer has conducted a 45-degree rule of thumb overshadowing assessment, which shows no loss of light impacts to the rear amenity space of no's 143 or 147 Perne Road. Furthermore, no.143 Perne Road is situated due south of the application site, and so is not subject to a sunlight path which could be blocked by the application site.
- 8.44 Concerns have been raised from neighbouring occupiers with regards to noise implications arising from increased foot traffic on site stemming from additional entrances to the property along the south elevation of the site adjacent to no.143 Perne Road. The proposed entrances remain as approved under appeal, and so are considered acceptable.
- 8.45 The officer had concerns with potential loss of privacy to neighbourhood properties from increase overlooking opportunities. From the site visits conducted, the proposed windows within the south roof slope of the two-storey rear extension proposed will not have any direct overlooking opportunities of neighbouring property no.143 Perne Road, due to the existing outbuilding at the neighbouring property, which would obscure any view of the rear amenity space serving no. 143 Perne Road.
- 8.46 The two no. velux windows in the north elevation are considered to unacceptably overlook the amenity of 147 Perne Road. As these windows serve toilet/shower rooms, it is deemed acceptable to require the windows to be obscured glazer and fixed shut via condition. A condition will be applied to this affect.
- 8.47 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.
- 8.48 Future Occupants

8.49 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).

8.50 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 (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	1	1	1	37	37	-
2	1	1	1	37	37	-
3	4	7	2	106	110	+4
4	2	1	1	61	62.75	+1.75

8.51 Policy 50 paragraph 6.32 states that residential units created through conversions should seek to meet or exceed the internal space standards as so far as practicable to do so.

8.52 All flats and associated bedrooms proposed meet or exceed the national space standards outlined in policy 50 of the local plan, which is supported.

8.53 Garden Size(s)

8.54 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. However, the application constitutes a conversion, and so this requirement is not considered practicable in this instance.

8.55 Size of external amenity space:  
 Private Amenity Flat 1 = 6sqm  
 Private Amenity Flat 2 = 4sqm  
 Private Amenity Flat 3 = 42sqm  
 Private Amenity Flat 4 = 19sqm (Terrace)  
 Communal Amenity Flats 1, 2 & 4 = 160sqm

8.56 The proposed garden sizes are considered to be an improvement when compared with the previously approved scheme and are acceptable and in line with the requirements of policy 50 and 53.

8.57 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 with 5% of affordable housing in developments of 20 or more self-contained affordable homes

meeting Building Regulations requirement part M4(3) wheelchair user dwellings.

8.58 The proposal is a conversion and would utilise the existing stairwells, the proposed units would not be housed completely within a new building envelope. Therefore, it would not usually be practicable to require part M4(2) compliance, however, the development is intended for use by persons subject to physical disabilities, learning disabilities and autistic/metal health problems, and so it is considered reasonable to require M4(2) compliance via condition in this instance, despite the nature of the proposals being a conversion.

8.59 A condition will be applied requiring the development to comply with Building Regulations requirement part M4(2) accessible and adaptable dwellings, to ensure the property can be suitably used by those in which the development is intended for.

8.60 Construction and Environmental Impacts

8.61 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.

8.62 The Council's Environmental Health team have assessed the application and recommended a condition restricting construction hours to reasonable times. The officer agrees with the use of this recommended condition

8.63 Summary

8.64 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, 53, and 58.

### **8.65 Third Party Representations**

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

<b>Third Party Comment</b>	<b>Officer Response</b>
Density/Overdevelopment	<p>The concerns raised with the high density nature of the application have been addressed by the inspector within appeal reference 21/00087/REFUSL.</p> <p>The proposed scheme will allow for 3 additional persons compared with the</p>

	<p>approved scheme, which is considered a marginal increase in use, and so is not considered to allow for any adverse impacts on the amenity of neighbouring occupiers when compared with the scheme approved under appeal</p> <p>The concerns with density are therefore not considered to give rise to adverse impacts of neighbours and is not considered to contribute to an overdevelopment of the site, and shall not effect the outcome of this application.</p>
Foot Traffic	<p>The concerns raised with foot traffic have been addressed within the residential amenity section of this report, and by the inspector.</p> <p>The proposed scheme will allow for 3 additional persons compared with the approved scheme, which is considered a marginal increase in use, and so is not considered to allow for any adverse impacts on the amenity of neighbouring occupiers from increased foot traffic, when compared with the scheme approved under appeal</p> <p>The concerns with foot traffic are therefore not considered to give rise to adverse impacts of neighbours and is not considered to contribute to an overdevelopment of the site, and shall not effect the outcome of this application.</p>
Right to light	<p>A right to light is a civil matter between different landowners and a planning permission would not interfere with a right of light. The local planning authority has no jurisdiction in checking or enforcing a right to light. This is not a material planning consideration.</p>
Party walls	<p>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.</p>

Ownership	No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served.
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### 8.67 Other Matters

#### 8.68 Bins

8.69 The bin storage proposed is situated in the same location as the bin store proposed as part of approved appeal reference , and is considered o comply with the RECAP guidance on bin storage, providing x amount of bins for future tenants.

8.70 The bin store proposed is acceptable in terms of design, size, provision of bins, and location and is acceptable.

### 8.71 Planning Conditions

8.72 Members attention is drawn to following key conditions that form part of the recommendation:

Condition no.	Detail
1	Time Limit
2	Drawings
3	Carbon Reduction (PC)
4	Boundary Treatments (PC)
5	Hard and Soft Landscaping (PC)
6	Biodiversity Enhancement (PC)
7	Water efficiency (PO)
8	Balcony Screens (PO)
9	Bikes and Bins Compliance
10	M4 (2) Compliance
11	Materials Compliance
12	Construction Hours Compliance

### 8.73 Planning Balance

8.74 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).

- 8.75 The previous approval on site has not lapsed and so holds considerable weight within this assessment. The application proposed is the same size, scale and design as the development approved under appeal, with the addition of windows and 2no. additional bedrooms, which is considered a marginal increase in use compared with the development previously approved.
- 8.76 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, subject to conditions.

## **9.0 Recommendation**

### **9.1 Approve subject to:**

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

## **10.0 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 - Drawings**

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 – Carbon Reduction**

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).

#### **4 - Boundary Treatments**

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 (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

#### **5 – Hard and Soft Landscaping**

No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

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.

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

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

## **6 - BNG**

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.

## **7 – Water Efficiency**

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).

## **8 – Balcony Screens**

The development, hereby permitted, shall not be occupied until the proposed first floor privacy screen in the north side elevation of the development has been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity and 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, 58).

## **9 – Bike and Bin Storage**

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).

## **10 - M4(2) Compliance**

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)

## **11 - Materials**

The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within unless otherwise agreed in writing by the Local Planning Authority.

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)).

## **12 – Noise Construction Hours**

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)

**13.** Prior to first occupation, each dwelling shall be fitted with a means for future occupiers to monitor / measure all of their own energy consumption (electric / water / gas) including the extent of the contribution made to energy consumption from on-site renewable energy sources. The fitted device(s) shall be retained and maintained thereafter.

Reason: In the interest of promoting sustainable development (Cambridge Local Plan 2018 policy 28)

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### 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