



<b>Planning Committee Date</b>	11 June 2024
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	23/03741/FUL
<b>Site</b>	261 Mill Road
<b>Ward / Parish</b>	Romsey
<b>Proposal</b>	Change of use of a takeaway to 1no. apartment
<b>Applicant</b>	Mr Copolla
<b>Presenting Officer</b>	Mr D Brocklesby
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Loss of commercial unit
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks the change of use of a takeaway to 1 no. apartment
- 1.2 The proposal would create the loss of a retail unit within the district centre of Mill Road. However, the unit has not been in use for a period of approx. 12 years and the works would allow the repair and upkeep of the building, improving the appearance of the building. The proposed works would externally retain the appearance of the shopfront to Mill Road and create an additional dwelling.
- 1.3 Officers recommend that the Planning Committee approve subject to conditions.

## 2.0 Site Description and Context

Conservation Area	X	District Centre	X
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- 2.1 The application site, no. 261 Mill Road, is comprised of the ground floor of a two-storey terraced unit situated on the north side of Mill Road. The property is an end of terrace with the side elevation fronting Belgrave Road. The ground floor was previously a take-away, although not in use for the past 12 years, and was originally built as a corner shop. The building is constructed in brick and there is a small outdoor hardstanding garden area to the rear of the site. The surrounding area is predominantly residential in character and is formed of similar sized terraced properties set linear to the pattern of the road.
- 2.2 The first floor of the property, No. 261A Mill Road is a residential flat, and to the north (1 Belgrave Road), east (263 Mill Road) and west (259 Mill Road) are residential properties. Opposite the site to the south is the Royal Standard Public House.
- 2.3 The site falls within the Mill Road Conservation Area and the Mill Road District Centre.

## 3.0 The Proposal

- The application proposes the change of use of the ground floor unit from a take-away (Sui Generis) to a residential unit (Use Class C3). The application would retain much of the existing shopfront appearance on Mill Road and Belgrave Road. The shop front window on Belgrave Road is proposed to be reduced in width by half and an additional window proposed on the side and rear elevation.
- 3.1 Following comments from the Conservation Officers one window to the side elevation has been removed and the original shopfront window retained in appearance.

3.2 The application has been amended to address representations and further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
23/02541/FUL	Change of use of a takeaway to 1no. new apartment	Withdrawn
16/1342/FUL	Proposed development of one new two bedroom dwelling to the rear of 259/261 Mill Road	Withdrawn
16/1135/FUL	Part first floor rear extension	Permitted
16/0557/FUL	Proposed development of two new apartments to rear of 259/261 Mill Road following demolition of existing outbuilding	Withdrawn
12/0374/FUL	Part single storey part two storey extension	Permitted

#### 5.0 Policy

##### 5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## 5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development  
Policy 2: Spatial strategy for the location of employment development  
Policy 3: Spatial strategy for the location of residential development  
Policy 5: Sustainable transport and infrastructure  
Policy 24: Mill Road Opportunity Area  
Policy 28: Sustainable design and construction, and water use  
Policy 31: Integrated water management and the water cycle  
Policy 32: Flood risk  
Policy 35: Human health and quality of life  
Policy 36: Air quality, odour and dust  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 61: Conservation and enhancement of historic environment  
Policy 64: Shopfronts, signage and shop security measures  
Policy 72: Development and change of use in district, local and neighbourhood centres  
Policy 82: Parking management

## 5.3 Supplementary Planning Documents

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

## 5.4 Other Guidance

Mill Road conservation area

## 6.0 Consultations

### 6.1 County Highways Development Management – No Objection

6.2 No objection subject to the addition of a condition regarding vehicles over 3.5 tonnes.

### 6.3 Conservation Officer – No objection

6.4 Amendments: The retention of the shop front window, reduced in width, would retain the appearance of the shop front and overcomes the original objection.

### 6.5 Environmental Health – No Objection

6.6 No objection subject to the imposition of a condition regarding construction hours and noise insulation scheme.

## **7.0 Third Party Representations**

One representation has been received.

7.1 Those in objection have raised the following issues:

- Loss of jobs
- This area of Mill Road lacking facilities
- Important facilities like this are preserved
- Poor design
- UPVC windows are not in keeping
- Obscured film on windows not appropriate for area
- Should maintain shopfront
- Parking concerns
- Foul water drainage
- Amenity space inadequate

7.2 The above representation is a summary of the comments that have been received. Full details of the representation 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. The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.3 The application site falls within the Mill Road District Centre. Policy 72 outlines the uses acceptable in Local, District and Neighbourhood Centres and permits the change of use to centre uses provided the vitality, viability and diversity of the centre is maintained or enhanced. Policy 72 continues to state inappropriate uses in designated centres at ground floor, which comprise former B1 (office), B2 (light industrial), B8 (storage and distribution), C2 (residential institutions), C3 (dwellinghouses), C4 (houses of multiple occupation) and other 'sui generis' uses.

8.4 It is noted that the loss of centre uses at ground floor level to non-centre uses will not be permitted, unless it is demonstrated that the use is no longer viable, by evidence of active marketing for at least 12 months, should that the premises are not reasonable capable of being used or redeveloped for a centre use. It is acknowledged that the building is set towards the end of the District Centre and away from the central grouping of facilities. This of itself does not mean that the unit would not be attractive for Class E use or

Sui Generis Use as a take-away and by virtue of the frontage and appearance, is that of a small corner shop unit.

- 8.5 The applicant has not provided any information regarding the marketing of the property for use as a takeaway and planning permission would be required for the change of use of the building to Use Class E. It is further noted that the building is surrounded by residential units, and does not appear to have any extraction ducts for odour or cooking facilities usually associated with use as a takeaway. Given the siting on the junction of two roads and within the Conservation Area this would require a further planning permission to be sought. Policy 72 c) sets out that uses would not be permitted which give rise to detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems. Given the siting and lack of facilities, it is likely that in bringing this back into use as a takeaway would give rise to an impact on the neighbouring properties through smell and noise in particular.
- 8.6 The policy sets out that introducing a non-retail use and a non-active residential frontage would be harmful to the adequate provision of retail services within the local centre, making the area less vibrant and commercially attractive undermining the vitality, viability, character and function of the Local centre. However, Officers note that the unit has been unused in this location for a period of approx. 12 years, prior to the adoption of the current Local Plan, and that the unit appears to be run down and the existing frontage in a poor condition. Therefore, the change of use of the property, whilst no marketing of the unit has been provided, is considered not to harm the vitality of viability of the wider district centre in this instance and would bring an unused unit back into use. Furthermore, given the close proximity of the building to multiple residential uses, and a number of takeaways in relatively close proximity, in this instance, would be acceptable for the change of use to residential use.
- 8.7 Officers note that comments have been received regarding the loss of jobs however, at the current time there would be no loss of employment associated with the unit given the period of time it has been empty. It is noted that this would prevent a further employment use coming forward however, given a unit of this scale it is considered that it would likely be to a loss of a limited amount of jobs which is not considered to fail Policy 2 of the Cambridge Local Plan 2018.
- 8.8 Consequently, it is concluded that it would be acceptable, in this instance, for the building to change to a use falling within Class C3 (dwelling house).
- 8.9 Design, Layout, Scale and Landscaping**
- 8.10 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.

- 8.11 The application proposes minimal external alterations to the existing building. The existing shopfront, not original to the building, consists of a large shopfront window onto Mill Road, a front door situated on the corner of the building and a large two pane window on the side elevation. Further windows and doors to the side elevation of the building accessed the rear of the unit. The proposal is to retain the shopfront window to the front of the building, albeit replaced with an energy efficient window. The corner door will be retained externally to be in keeping with the unit, although blocked up internally. Following comments from the conservation officer, the application has been amended so the window on the side elevation linked to the shop unit is to be retained as a single panel window instead of a two-paned window which has overcome previous concern. A new window is proposed in the side elevation, whilst not traditional in design to the Conservation Area, the window proposed matches the design of the window at ground a first floor on the side elevation and therefore is considered appropriate in this instance.
- 8.12 Officers note comments from third parties regarding the proposed uVPC materials. uVPC windows are considered acceptable in conservation areas, subject to the design matching the original windows, as set out within Schedule 2, Part 1, Class A of the General Permitted Development Order 2015. Furthermore, the existing windows on the building are UVPC and the shopfront aluminium frames. Officers therefore, do not consider that it would be reasonable in this instance to insist that the materials are altered.
- 8.13 A low level brick wall is proposed to the front of the building, similar in design to the front elevation at number 259 Mill Road. A wall under 1 metre in height to the front of a building is considered to be permitted development under Schedule 2, Part 2, Class A of the General Permitted Development Order 2015. Officers therefore note the comments from the Conservation Officers however consider that the design and form is acceptable in this instance.
- 8.14 A condition is recommended to ensure that the proposed external materials and design are in keeping to the area.
- 8.15 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 and 58 and the NPPF.

## **8.16 Heritage Assets**

- 8.17 The application falls within the Mill Road Conservation Area. The application is within the setting of the Royal Standard, a Building of Local Interest.
- 8.18 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 8.19 Para. 205 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 8.20 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 8.21 261 Mill Road, on the corner with Belgrave Road, is one of the corner shops believed to be original to Romsey Town development between 1880 and 1900. It was recorded as a grocers and parcel shop c1900. It is a key component of the typical facilities that were provided to residents in the development of the area.
- 8.22 The original timber windows have been replaced by functional but unattractive metal units with clerestory vents. The flanking pilasters have been removed (though their location can be seen in the brickwork), as have the cornice and blind. However, the shopfront retains the fascia and corbels, hanging sign-arm, original front door, and large window apertures to Mill Road and Belgrave Road. The simple shopfront remains evident, with similarities to others in Romsey Town. The legibility of 261 Mill Road as a corner shop is a contributing factor to the significance of the conservation area. However, the quality of the building has suffered from alterations including to fenestration and lack of maintenance, so that it is not currently a 'positive building' in the conservation area and improvements would be welcome. Further decline in quality or loss of historic commercial character would be harmful to the conservation area and should be resisted.
- 8.23 The original application proposed that the Belgrave frontage be bricked up and two new uPVC windows inserted. It is now proposed to retain the metal-famed unit to the Mill Road Frontage, with new non-opening lights replacing the clerestory vents. Additionally, although reduced to a single pane, the large aperture window to Belgrave Road has now been retained, although reduced in width, overcoming the previous concerns from the Conservation Officers regarding the loss of the existing window and the shopfront frontage. The new window to the Belgrave frontage, would be of a similar design to the existing windows on the side elevation at ground and first floor and it is considered that it would retaining a neutral effect on the Conservation Area.
- 8.24 Comments regarding the retention indicates a neutral effect, the proposed dry lining would contrast poorly with the unobscured clerestory windows.



However, it is noted that a lining could be added to the windows without planning permission being required.

8.25 Local Plan Policy 58 requires that where proposals seek to alter existing buildings these changes do not adversely impact on the character or appearance of the conservation area and use materials and architectural detailing which ensure that proposals are sympathetic to the existing building and surrounding area. Policy 61 seeks to ensure that proposals should preserve or enhance the significance of the heritage assets of the city and respect the character, appearance and setting of the locality.

8.26 In the alteration of the window on the side elevation to retain the existing shop frontage window design it is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area and has overcome the initial concerns with the application. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

### **8.27 Water Management and Flood Risk**

8.28 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.

8.29 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. Given that the application is a conversion, albeit to a more vulnerable use, given the proposal is not within an area of surface water flooding and flood zone 1 it is considered acceptable and in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.30 Officers note comments have been submitted regarding foul water drainage at the site. Given the existing use of the building the unit will be connected to the existing foul water drainage system and the connection would be assessed under Building Control and Officers are therefore satisfied that the proposal would not lead to any significant concerns.

### **8.31 Highway Safety and Transport Impacts**

8.32 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.

8.33 Para. 115 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.

8.34 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection subject to a condition regarding construction vehicles over 3.5tonnes to only service the site between 09:30hrs – 15:30 hrs to the proposal. Given the surrounding streets Officers considered that this is a reasonable condition.

8.35 An informative is recommended to ensure that the windows do not open over the public highway and cause an obstruction.

### **8.36 Cycle and Car Parking Provision**

#### 8.37 Cycle Parking

8.38 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.

8.39 There is no adequate space for cycle parking on the frontage. Cycle parking is therefore proposed to the rear of the dwelling. It is considered that the proposal would be satisfactory and would not impact the cycle parking arrangements for the neighbouring dwelling, and first floor flat no. 261A.

#### 8.40 Car parking

8.41 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. 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.

8.42 The application proposes no car parking spaces and the existing site has no off street parking. Officers note that comments have been received setting out that the property originally had an off street parking space, however this was removed in an application around 2012. Officers can only assess the current situation on site and whether the proposed use would be acceptable.

8.43 Given the siting in close proximity to shops and with a high public transport network in proximity to the site it is considered acceptable in this instance

for the application to have no parking. Furthermore, the surrounding streets are outside of the controlled parking zone and therefore considered that a car-free status of the site could not be realistically enforced in this instance. Overall, Officers considered that a one bed dwelling would not put unnecessary stress on the existing parking arrangements.

8.44 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.

**8.45 Amenity**

8.46 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.

8.47 Neighbouring Properties

8.48 The neighbouring properties are 259 Mill Road, 1 Belgrave Road, 261A and 263 Mill Road which are residential properties. There are no extensions proposed as part of the application and therefore it is not considered that the proposal would give rise to any loss of light or overbearing impact. Additional windows are proposed to the side, east elevation. Given the separation of Belgrave Road to no. 263 Mill Road and the offset nature of the proposal it is not considered that the proposal would give rise to any loss of privacy to the neighbouring amenity.

8.49 Future Occupants

8.50 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).

8.51 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		2	1	50	50	0

8.52 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. As set out above, the proposal is compliant with the space standards.

8.53 Garden Size

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.

8.55 The application proposes a shared rear amenity space for No's 259, 261 and 261A Mill Road of 35sq metres, excluding areas for cycle storage and access routes. Given the central location and limited garden sizes of properties on Mill Road, Officers consider that there is sufficient space for washing to dry and occupants to sit outside from the existing units.

8.56 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. While this is a policy requirement, the proposal is a conversion and would utilise the existing entrances. Therefore, it is not practicable to require part M4(2) compliance in this instance.

8.57 Construction and Environmental Impacts

8.58 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.

8.59 The Council's Environmental Health team have assessed the application and recommended conditions regarding construction hours and noise insulation scheme. Given that the proposal fronts Mill Road, a busy road, it is unlikely that recommended DS8233:2014 internal noise levels will be achieved with windows open. Officers consider that the proposed conditions are reasonable and necessary to ensure that the amenity of neighbouring property and future occupiers.

8.60 Summary

8.61 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 and 58.

## **8.62 Carbon Reduction and Sustainable Design**

8.63 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.

- 8.64 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.
- 8.65 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.
- 8.66 Subject to conditions relating to carbon reduction technologies and water efficiency it is considered that the proposal would be compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **8.67 Biodiversity**

- 8.68 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.
- 8.69 The application is for a change of use to the existing building and no extensions are proposed and the rear area of the building is to be retained. Officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species. A condition is recommended regarding nest boxes to ensure that that proposal would 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).

### **8.70 Third Party Representations**

- 8.71 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>
Loss of jobs	Assessed within the report

Lacking facilities	The application site is located within the District Centre of Mill Road which has sufficient facilities within walking distance of the site.
Poor Design	Officers have assessed the design within the above paragraphs.
Windows	Details regarding windows has been assessed above.  Obscured film on windows, if there are no logos, would not be controlled by planning permission as it can be added by the occupiers internally.
Shopfront	The existing shopfront is not original to the building and is not in keeping with the existing building. The application proposes to retain the shopfront design and frontage to the building with more energy efficient materials.
Foul Drainage	The proposal would not alter the existing connection to Foul Drainage. The details will be assessed by Building Control.
Amenity Space	Assessed within the Officer Report.
Neighbour consultation	Neighbour consultation was carried out in accordance with the Development Management Procedure Order 2015 and the Statement of Community Involvement. A neighbour further away from the site was notified due to commenting on a previous application at the same site.
Parking	Assessed within the Officer Report.

## 8.72 Other Matters

### 8.73 Bins

8.74 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The bin storage to the rear of the dwelling, accessed off Belgrave Road is considered sufficient for the proposed dwelling.

### 8.75 Planning Balance

8.76 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).

8.77 Summary of harm

8.78 The application would lead to the loss of a retail unit within the District Centre of Mill Road. No details of marketing have been submitted in support of the application which fails to comply with Policy 72 of the Local Plan 2018.

8.79 Summary of benefits

- 8.80 The application would create an additional dwelling with a shared external amenity space for future occupiers located within a sustainable location. The proposed development would retain the existing shop front and bring back a building, not currently in use, back into use.
- 8.81 Overall, the proposed development is considered to preserve the character and appearance of the surrounding area with the retention of the proposed shopfront. Whilst objections from third parties regarding the loss of the existing use are acknowledged, it is considered that on balance, the impact of the proposed development would not lead to a loss of facilities for local residents and the impact of the proposed development would not be significant and is acceptable in this instance.
- 8.82 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

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

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

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

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

3. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential unit (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential unit as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted

to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2018 policy 35)

- 4 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).

- 5 No development above ground level shall commence until a scheme for the provision of nest boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, their specification and location. No building shall be occupied until the nest boxes have been provided for that building in accordance with the approved scheme.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policies 57, 59 and 70).

- 6 No development shall take place above ground level, other than demolition, until details of the windows and bricks to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 7 Water efficiency measures for the scheme shall be implemented in accordance with the optional requirement as set out in Part G of the Building Regulations, which requires all dwellings to achieve a design standards of water use of no more than 110 litres/person/day.

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 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).

- 9 Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes to only service the site between the hours of 09:30 - 15:30hrs, seven days a week.

Reason: In the interests of Highway Safety in accordance with Policy 81 of the Cambridge Local Plan 2018 and para 115 of the NPPF 2023.

- 10 The dwelling, hereby permitted, shall not be occupied until access to the shared amenity has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56).