



Planning Committee Date	2 nd April
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	25/00101/FUL
Site	Rear Of 82 To 84 Victoria Road, Cambridge
Ward / Parish	West Chesterton
Proposal	Construction of a self build 2 bedroom dwelling following demolition of existing garage.
Applicant	Mr Peter Clark
Presenting Officer	Tom Chenery
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Impact on the amenity of neighbouring occupiers 2. Impact on the character and appearance of the area
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks full planning permission for the erection of 1No. Self Build dwelling following the demolition of an existing outbuilding.
- 1.2 The proposal is located in a sustainable location and is acceptable in principle subject to the proposal's impact on the character and appearance of the area and impact on neighbouring and future occupiers.
- 1.3 The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.
- 1.4 The proposal is not considered to result in any harm to the amenity or living conditions of neighbouring occupiers.
- 1.5 The proposal is not considered to result in any highways safety implications.
- 1.6 Officers recommend that the Planning Committee **APPROVE** the application

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site comprises an area of land to the rear of No.82-84 Victoria Road, Cambridge. The site benefits from a single storey building running perpendicular to Primrose St to the east.
- 2.2 To the south of the site are terraced two storey Victorian style residential properties which front Victoria Road.
- 2.3 To the north of the site are semi detached and terraced 2 storey dwelling located on the western side of Primrose Street and have frontages on to this road. On the eastern side of Primrose St, opposite the site, is an electricity sub station and single storey garage blocks.

3.0 The Proposal

- 3.1 The planning application seeks permission for the construction of a self build 2 bedroom Dwelling following demolition of existing garage.
- 3.2 The proposed dwelling would be L shaped with a two storey central aspect running parallel to Primrose Street and a part single storey aspect which would form a link to a two storey aspect, both of which would be located on the northern boundary adjacent to No.1a Primrose St.
- 3.3 The proposal would benefit from an outdoor amenity area which would extend centrally towards the south of the site and the shared boundary with No.82-84 Victoria Road.

4.0 Relevant Site History

Reference	Description	Outcome
24/50291/PRELV3	SELF-BUILD A TWO-BEDROOM DWELLING FOLLOWING THE DEMOLITION OF AN EXISTING WORKSHOP	Advice Given
23/03510/FUL	Erection of one 2-bed house (following demolition of existing outbuilding).	Refused
17/0773/FUL	Demolition of existing garage and erection of two bed dwelling	Non Determination – Appeal Dismissed (Appeal Reference 3181912)
14/1109/FUL	Demolition of existing garage and erection of a new two bedroom dwelling	Refused
14/0062/FUL	Demolition of existing garage and construction of 2 bedroom dwelling	Refused
12/1347/FUL	New 3 bedroom dwelling	Refused
09/0015/FUL	Erection of one 2-bed house (following demolition of existing outbuilding).	Approved
08/1151/FUL	Erection of 2 bed house (following demolition of existing outbuilding).	Refused

Relevant Neighbour History

Reference	Description	Outcome
12/0204/FUL	Change of use from HMO and A1 shop to sui generis 9 bedroom HMO.	Non Determination Appeal Allowed (Appeal Reference 2180126)
C/02/0836	Demolition of two bedsits and part demolition of garage workshop to enable erection of 2no. three bedroomed houses and first floor extension to Florence Villa.	Approved
C/92/0893	Change Of Use Of Existing Garage To 2 No. Self Contained Flats (Retrospective).	Approved

- 4.1 Planning Permission was refused under application reference 23/03510/FUL on the grounds that the proposal due to its excessive scale, bulk and massing would cause harm to the character and appearance of the area.
- 4.2 It was also refused on the grounds that it would result in an unacceptable overbearing impact, loss of outlook and perceived overlooking to No.86 Victoria Road.
- 4.3 The application was also refused on the grounds that due to the layout of the site, it would provide a poor standard of external amenity space would receive a poor level of light and would not have space for children to play.
- 4.4 Planning permission was also refused at appeal under application reference 17/0773/FUL (appeal reference 3181912) for the erection of a dwelling on the site. The inspector highlighted that the proposed design was not harmful to the character and appearance of the area but did conclude that due to the proximity to adjacent properties and its proposed design would result in harm to the amenity and living conditions of neighbouring occupiers, notably No.86 Victoria Road and No.1A Primrose St.
- 4.5 Planning permission was granted on the site for the erection of a dwelling under application reference 09/0015/FUL, however this proposal was not implemented and the permission has expired.

5.0 Policy

- 5.1 **National**
National Planning Policy Framework 2024

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)

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 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 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 61: Conservation and enhancement of Cambridge's historic environment

Policy 62: Local heritage assets

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

Supplementary Planning Documents (SPD)

Greater Cambridge Biodiversity – Adopted February 2022

City Wide Guidance

Greater Cambridge Sustainable Design and Construction SPD (2020)
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
Cambridgeshire Design Guide For Streets and Public Realm (2007)
Cycle Parking Guide for New Residential Developments (2010)
Roof Extensions Design Guide (2003)

Conservation Area Guidelines

Castle and Victoria Road Conservation Area Appraisal (2012)

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 Subject to recommended conditions

6.3 Conservation Officer – No Objection

6.4 Sustainability Officer – No Objection

6.5 Subject to recommended conditions

6.6 Environmental Health – No Objection

6.7 Subject to recommended conditions

7.0 Third Party Representations

7.1 2 representations have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Landscaping requirements
- Loss of Value of Home
- Use of the Land

8.0 Assessment

8.1 Principle of Development

- 8.2 The application seeks to erect a dwelling within the site which is within the Castle and Victoria Conservation area and the Victoria Road Neighbourhood Centre
- 8.3 The provision of extra housing within the city is supported in the Cambridge Local Plan (2018). Policy 3 states that the majority of development should be focused in and around the existing urban area of Cambridge, creating sustainable inclusive communities and enable the maximum number of people to access services locally.
- 8.4 Policy 72 of the Local Plan seeks to retain retail uses within district, local and neighbourhood centre areas. It also supports residential development on upper floors.
- 8.5 The previous refused application 23/03510/FUL indicated that the land was previously garden land, however, details within this application and an additional site visit indicate that the land has never formed part of a residential garden and has formed a parking area associated with the shops that historically were located at No. 82-84 Victoria Road. No's 82-84 were converted to a 9 Bed HMO however this application did not include the parcel of land within the application site and its use therefore is still that of the original A1 use.
- 8.6 The applicant has indicated that the site currently hosts a car wash business however there is no planning history of this use on the site and its use on the site would require planning permission. This use is not considered to be lawful and the lawful use is considered to be the A1 use (Now Use Class E).
- 8.7 The proposal seeks to erect a single dwelling within the application site following the demolition of the existing single storey outbuilding on the site. Although the site would fall under Use Class E there is no existing buildings on site that are used for employment or could be used for employment.
- 8.8 Although the proposal would result in the change of use of the land to a use that is not permitted under Policy 72, the site itself as indicated above it is not related to any commercial/retail use as this was lost through the approval of the change of use to a HMO of No.82-84 under application reference 12/0204/FUL (Appeal reference 2180126).
- 8.9 In line with Policy 3 of the Local Plan which focuses to have the majority of housing in and around the urban area of Cambridge, the development would comply with this policy.
- 8.10 Planning permission was granted for the erection of a two storey, two bedroom dwelling on the site under application reference 09/0015/FUL. Development did not commence for this proposal and as such the

permission has expired. This proposal is given limited weight when considering this application.

- 8.11 Planning permission was refused for a single dwelling under application references 12/1347/FUL, 14/0062/FUL, 14/1109/FUL. In addition to this, an application was appealed for Non Determination under application reference 17/0773/FUL, and was subsequently dismissed at appeal. These applications were determined on the previously adopted development plan and therefore they hold limited weight within the planning balance.
- 8.12 As previously stated, planning permission under the application reference 23/03510/FUL was refused on this site. The proposal within this planning applications need to overcome any previous reasons for refusal as they are considered material considerations.
- 8.13 In light of the above, the principle of development is acceptable in line with Policy 3 of the Local Plan. It is therefore necessary to assess the proposals impact on the character and appearance of the area, impact on neighbouring amenity and any other relevant material considerations.
- 8.14 **Impact on the Character and Appearance of the Area and Impact on Designated Heritage Assets**
- 8.15 The application site is located within the Caste and Victoria Conservation Area.
- 8.16 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.17 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.
- 8.18 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Para. 206 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...’
- 8.19 Policy 61 of the Cambridge Local Plan (2018) aligns with the statutory provisions and NPPF advice.

- 8.20 The application site forms a parcel of land that is associated with No.82-84 Victoria Road to the rear but has a frontage on to Primrose St to the east. The site comprises an area of hard standing with a single storey outbuilding located on the northern boundary all of which was formerly used as car parking for the commercial use at No.82-84 Victoria Road. This use has now ceased and is a vacant parcel of land.
- 8.21 The site is a transitional parcel of land from development on Victoria Road and development along Primrose St. The established character of Victoria Road consists of rows of terraces and semi-detached Victorian style dwellings, slightly set back from the main highway. Dwellings are similar in scale and appearance with some variations to this established character. Most properties which front Victoria Road have modest rear gardens.
- 8.22 The Caste and Victoria Road Conservation Area Appraisal notes that Primrose Street is a narrow street which comprises disused builders' yards on the eastern side and a single terrace of well-kept two storey cottages.
- 8.23 Primrose St is similar in architectural styling to dwellings within Victoria Road, however, it is predominately terraced dwellings that are located on the western side of the road, abutting the public highway. The eastern side of Primrose St is more sparsely developed, with a distinct absence of development from views from the junction of Victoria Road to Primrose St, when looking north.
- 8.24 The proposal would consist of a two storey dwelling, with a single storey element which links to a two storey element extending towards the rear abutting No.86 Victoria road. The proposal would be L shaped in design.
- 8.25 The dwelling would be set off from the existing shared boundary wall with No.82-84 to the south by approximately 5m, which is an increase of 3m from the previously refused application. The western elevation of the main dwelling would measure approximately 4.5m from the shared boundary with No.86 Victoria St, which is an increase of approximately 1.2m from that of the previously refused scheme.
- 8.26 In regard to the two storey outrigger aspect, this is now designed to abut the shared boundary with No.86, towards the rear of the garden. The north elevation of the proposal would abut the shared boundary with No.1a Primrose St, with approximately 3m of the two storey aspect forming a party wall with the existing neighbouring property.
- 8.27 The layout of this scheme creates a larger gap between the proposed dwelling and No's. 82-84 Victoria Road and now attaches to the recently constructed dwelling of No.1a Primrose Street. The result of this layout ensures that the proposed dwelling is further detached from the dwellings which front Victoria Road and would read as part of the dwellings on Primrose St, which have already been characterised as typically terraced in design.

- 8.28 A previously refused scheme that was considered and dismissed at appeal, under appeal reference 3181912 (LPA reference 17/0773/FUL) consisted of a dwelling which was located in close proximity to No.1a Primrose St, with massing located closer to No.86 towards the rear, but remained 2 storeys in height across the entire site.
- 8.29 The inspector concluded that "... although the proposal would not faithfully replicate the design or massing of any existing house, in an area of architectural variety could appear as the kind of infill development which might have happened historically. I conclude therefore that it would not have a harmful affect on the character and appearance of the area or on its significance".
- 8.30 The proposal within this application maintains a transitional appearance of development from Victoria Road and Primrose St. This is considered to respect the character of the immediate context that presently exists by appearing as an extension or part of the row of terraces on the west side of Primrose St and would therefore appear as an infill dwelling.
- 8.31 The south and west elevations of the proposal benefit from architectural detailing in the form of false windows to ensure that the built form is broken up and does not appear as a blank elevation.
- 8.32 It is considered that the proposed light buff bricks and traditional slate roof tiles would be acceptable as they relate to the overall context of Primrose St, a condition could be added to any permission given to ensure the proposed materials relate acceptable to the sites immediate context and the wider character and appearance of the Conservation Area.
- 8.33 The Council's Conservation Officer has been consulted on the scheme and has raised no objection.
- 8.34 In light of the above, due to the appropriate design, siting and location, the development would be considered to form an infill development and would respect the established character and appearance of the area. It is considered that the scheme within this application has overcome reason 1 for refusal on the previously refused application. The proposal therefore would not give rise to any harmful impact on the identified heritage asset or the immediate setting of the site and complies with Section 72 of the Planning (LBCA) Act 1990, paragraphs 131, 135, 205 and 206 of the NPPF (2024) and policies 55, 56, 57, 59 and 61 of the Cambridge Local Plan (2018).
- 8.35 **Amenity**
- 8.36 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.

8.37 Neighbouring Properties

8.38 The principal dwellings to be impacted by the proposal are No's. 82-84 Victoria Road, 86 Victoria Road and No.1A Primrose Street.

Impact on No.82-84 Victoria Road

8.39 The proposed dwelling will be located some 5m from the shared boundary with No.82-84 Victoria Road and some 11m from the rear wall of the property itself. The proposed plans indicate the 45 degree line and 25 degree line from the rear ground floor windows of No's. 82-84. The 45 degree rule aims to maintain a reasonable relationship between existing buildings and extensions, as well as preventing an excessive daylight loss or overshadowing to habitable rooms of neighbouring properties. The 25 degree rule aims to maintain an acceptable level of light from taller building to lower level habitable windows. The plans show that the proposal would not break the 25 degree or 45 degree lines and as such would not result in an unacceptable loss of light to these habitable rooms at the rear of No.82-84.

8.40 In addition to the above, the only windows on the southern elevation, facing No.82-84 are at ground floor and within the roof scape. A condition would be applied to any permission granted to ensure the roof lights on the southern elevation would be positioned in such a way that they would not afford overlooking to the private amenity area of No.82-84.

8.41 In light of the above, the proposal is considered to have an acceptable impact on the adjacent properties to the south, namely No.82-84 Victoria Road.

Impact on No.86 Victoria Road

8.42 No.86 Victoria Road is located to the west of the site. As evident from a site visit, the existing boundary treatment between the two properties comprises a 1.2m high brick wall and some additional trellising which results in the boundary treatment measuring approximately 1.8m in height. The rear garden of No.86 runs perpendicular to the application site.

8.43 Comments from the dismissed appeal specifically notes a concern with the overbearingness of a dwelling in relation to No.86 Victoria Road. The dismissed scheme was located some 3.6m from the shared boundary and sought to erect a garage on the boundary. The inspector considered this harm by stating the development "...as a result of its combined height and width creates a strong sense of enclosure to this rear garden... and would be more than moderately harmful to the outlook of the occupiers of No.86."

- 8.44 To overcome this, the proposed dwelling would be located approximately 4.5m from this shared boundary at its furthest point, but would abut the boundary towards the north and end of the boundary as it meets No.1a Primrose St.
- 8.45 Following comments from the previously refused scheme, boundary treatment has been referenced stating that 1.8m high timber fencing will form a future boundary between the application site and No.86 Victoria Road, which would be an improvement on the existing in order to maintain a degree of privacy.
- 8.46 The amendments to the scheme result in a greater separation distance between the proposed dwelling and the rear garden of No.86 Victoria Road and are considered to lessen the harm on this neighbouring property that was previously identified.
- 8.47 A shadow study report has been submitted. When considering this report, it is considered that the proposal is unlikely to cause significant loss of light to the neighbouring amenity spaces of No.86. In addition, the separation distance between the proposed dwelling, particularly in relation to the mass of built form which would abut the shared boundary, is considered to create a negligible amount of harm with respect to creating a sense of overbearing on No.86.
- 8.48 Objections have been raised regarding a loss of privacy to No.86 from windows which would directly face the rear garden space of this property. The west elevation would consist of one ground floor window serving the proposed living room, which would limit level of overlooking from the application site, not causing a loss of privacy to the neighbouring occupiers of No.86 Victoria Road. The proposal does benefit from false windows in order to break up the elevations and ensuring there are no blank elevations. These false windows would be evident and there is no potential overlooking from these.
- 8.49 In light of the above, the proposal is considered to have an acceptable impact on No.86 Victoria Road.
- 8.50 *Impact on No.1a Primrose St*
- 8.51 The proposed development would sit forward of the principle elevation of No.1a Primrose St, abutting the public highway, in a similar fashion to that of the existing single storey building existing on site. The majority of built form along this shared boundary forward of No.1a's principle elevation would be single storey and is therefore unlikely to cause a loss of light or appear overbearing on this neighbouring property. A 45 degree line has been drawn onto the plans from the two storey aspect that abuts the highway of the proposed dwelling to the ground floor window of No.1a Primrose St. This demonstrates that the development would not result in an unacceptable loss of light to these habitable rooms.

- 8.52 A site visit has been undertaken.
- 8.53 Given the adjacent context, siting, size and design of the proposal, it is unlikely to give rise to any significant amenity impacts in terms of overlooking, loss of daylight, enclosure or other environmental impacts. The proposal is considered to overcome reason for refusal 1 and the proposal is therefore compliant with policies 35, 55, 56 and 57 of the Cambridge Local Plan (2018).
- 8.54 Amenity of future occupiers
- 8.55 Paragraph 135 of the NPPF states that all new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and that the space provided should be usable.
- 8.56 Policy 50 of the Cambridge Local Plan (2018) requires new residential units to meet or exceed the residential space standard set out in the Government's Technical Housing Standards – nationally described as space standards (2015).
- 8.57 The bedrooms and other habitable rooms provided by the proposed development meets the requirements set out in Policy 50 and the Nationally Described Space Standards. Therefore, it is considered that the proposed development would provide usable living space, and therefore the size would be acceptable.
- 8.58 Policy 50 also 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.
- 8.59 The proposed external private amenity space is L shaped, measuring approximately 9.3m at the side and approximately 4.5m at the rear. The previously refused application stated that the design of the external amenity space would result in a poor level of light and a sense of enclosure.
- 8.60 It is considered that the design of the external amenity area within this application would give a greater sense of openness than the previously refused scheme, providing sufficient space for children to play, as required for a 2 bedroom dwelling by Policy 50 of the Local Plan.
- 8.61 The proposed cycle store has been relocated to the side of the proposed dwelling, abutting the boundary with the public highway. This has made space for usable private amenity space further away from the rear of Nos. 82-84 and 86 Victoria Road.

- 8.62 Overall, it is considered that the proposal would not cause harm to the amenity and living conditions of neighbouring occupiers as a result of appearing overbearing, loss of outlook or an unacceptable level of overlooking. The external amenity space is also considered to be acceptable.
- 8.63 The proposal is considered to overcome reason for refusal 3 of the previously refused scheme and is compliant with Paragraph 135 of the NPPF and policy 50 of the Cambridge Local Plan (2018).
- 8.64 Construction and Environmental Impacts
- 8.65 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.
- 8.66 The Council's Environmental Health team have assessed the application and has raised no objection subject to conditions relating to construction hours, piling and any unexpected land contamination. These conditions are considered necessary and reasonable to protect against the amenity and living conditions of neighbouring occupiers.
- 8.67 Concerns have been raised regarding the construction impacts of the proposal. The scheme is, however, relatively small in scale and such impacts are likely to be limited to a temporary period. Whilst there may be impacts arising from construction related activities that would give rise to some harm to the amenity of nearby occupiers, the level of harm would not be significant.
- 8.68 Summary
- 8.69 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, 56 and 58.
- 8.70 **Carbon Reduction and Sustainable Design**
- 8.71 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.
- 8.72 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.

- 8.73 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.
- 8.74 The application is supported by a SAP Report and SAP calculations as well as detail contained relating to Sustainability measures within the Design and Access statement.
- 8.75 The submitted information indicates that the proposal would utilise and Air Source Heat Pump (ASHP), solar panels and heat recovery. It also indicates that the dwelling would achieve a standard of 110 litres per person per day.
- 8.76 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency.
- 8.77 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.
- 8.78 **Biodiversity**
- 8.79 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.
- 8.80 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)...
- 8.81 The application site is a sealed surface and as such there is no Biodiversity Merit to the site. The application is for a self build dwelling and is also exempt from providing the statutory 10% Biodiversity Net Gain requirement set out in the Environment Act.
- 8.82 In light of the above it is necessary to add several conditions to ensure the protection of species and that some biodiversity net gain is delivered.

- 8.83 Subject to these conditions, 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).
- 8.84 **Water Management and Flood Risk**
- 8.85 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.
- 8.86 The site is in Flood Zone 1 and is therefore considered at low risk of fluvial flooding. The site is also not in any area at risk of surface water flooding.
- 8.87 No detail has been provided regarding how any surface water or foul water drainage would be directed. It is therefore necessary to add a condition to any permission given which would require the submission of surface water and foul water drainage details.
- 8.88 Subject to this condition, the proposal could suitably address the issues of water management and flood risk, and the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.
- 8.89 **Highway Safety and Transport Impacts/ Cycle and Car Parking Provision**
- 8.90 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.
- 8.91 Para. 116 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.
- 8.92 Access to the site would be from Primrose St to the east of the site.
- 8.93 The proposal seeks to be a car free development and does not seek to create a new access to the site.
- 8.94 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.
- 8.95 The proposal would not provide any parking. Policy 82 states that car free and car capped development is acceptable provided there is good, easily walkable and cyclable access to a district centre or the city centre, where

there is high public transport accessibility and the car free status of the development can be realistically enforced.

- 8.96 The application site is located in a highly sustainable location and is in walking and cycling distance to a good range of services. It is also in close proximity to a number of local transport options which would provide access to the city centre and its services. It is also possible to walk/cycle to the city centre.
- 8.97 Both Primrose Street and Victoria Road benefit from parking restrictions with parking bays and double yellow lines.
- 8.98 Given that the car free nature of the proposal could be realistically enforced through the existing parking restricts on both Primrose St, Victoria Road and the surrounding roads, as well as the sites highly sustainable location and proximity to a range of services, it is acceptable for the proposal to be car free and would comply with Policy 82 in this regard.
- 8.99 Policy 82 also requires that development provide an acceptable provision of cycle parking. Appendix L states that for a development of this scale a proposal should provide at least 1 space per bedroom up to 3 bedroom dwellings. The proposal would be a one bedroom dwelling and as such would need to provide 1 cycle space.
- 8.100 Submitted Plan No 01 Rev M3 indicates there is a cycle storage area at the front of the site which can accommodate 3 cycles. Limited details of this storage area have been provided, however, a condition could be added to any permission given which would require details of the cycle store to be provided.
- 8.101 The Local Highways Authority has been consulted on the scheme and have no objection to the proposal subject to a condition which would require the submission of a Traffic Management Plan and that deliveries and the removal of waste from the site shall be limited to 09.30-15.30 Mondays to Friday.
- 8.102 These conditions are considered necessary and reasonable and could be added to any permissions given.
- 8.103 In light of the above and subject to the recommended conditions, the proposal is compliant with Policies 80, 81 and 82 Cambridge City Local Plan (2018) and paragraph 116 of the NPPF.
- 8.104 **Third Party Representations**

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

Third Party Comment	Officer Response
Loss of Value	The loss of value of property is not a material planning consideration and is not a consideration of this application.
Land Use	An objection has been raised indicating that the use of land would be better suited to another use. The application is determined on the information contained within the officers report and the use of the land is considered within the Principle of Development section of this report.
Party walls/Damage to Structures	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.

8.106 **Planning Balance**

- 8.107 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).
- 8.108 The development is not considered to cause harm to the immediate character of the site and would relate acceptably to the wider character and appearance of the Mill Road Conservation area.
- 8.109 The proposed development is considered to have an acceptable impact on the amenity of neighbouring occupiers
- 8.110 The provision of 1no.self build residential dwellings that would contribute towards meeting identified housing supply requirements.
- 8.111 The proposal would also provide Biodiversity Net Gain Enhancements and would provide internal living accommodation that is compliant with National and Local space requirements. These are given limited weight in the planning balance.
- 8.112 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. 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 the approved plans 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 Conservation Area. Cambridge Local Plan 2018 policies 55, 57 and 61.

4. No development, other than demolition, shall commence until a scheme for the provision and implementation of foul water drainage and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation program agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment, to ensure a satisfactory method of foul water drainage and to ensure a satisfactory method of surface water drainage and to prevent the increased risk of (Cambridge Local Plan 2018, policies 31 and 32)

5. No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority.

The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: in the interests of highway safety in accordance with Cambridge Local Plan (2018) Policy 81.

6. Deliveries and removal of waste to or from the site shall be permitted between the hours of 09.30hrs -15.30hrs only, Monday to Friday.

Reason: In the interests of highway safety in accordance with Cambridge Local Plan (2018) Policy 81.

7. Prior to occupation of the proposal, the existing redundant vehicular access (dropped kerb) in Primrose Street, to the rear of 82 -84 Victoria Road, shall be permanently and effectively closed and the footway shall be reinstated with a full height kerb-face in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority prior to first occupation of the new dwelling.

Reason: In the interests of highway safety in accordance with Cambridge Local Plan (2018) Policy 81.

8. 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.

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).

9. The hereby permitted shall not 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).

10. Prior to first occupation, details of the bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be submitted in writing to the Local Planning Authority for approval.

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.

The details once approved will be retained thereafter.

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).

11. The windows on the southern roof slope are to be: (a) obscure-glazed, and (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

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

12. No development above ground level, other than demolition, shall commence until all details of hard and soft landscape work as well as the

position, design materials and type of boundary treatment to be erected, have been submitted to and approved in writing by the local planning authority. The works shall be fully carried out in accordance with the approved details prior to the occupation of the development, unless an alternative phasing scheme for implementation has otherwise been agreed in writing by the Local Planning Authority.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan Policies 52, 55, 56, 57 and 59)

13. Notwithstanding the approved plans, the building hereby permitted, and notably the internal configuration of the door openings, 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)

14. 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).

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

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

16. 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 be 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)

17. No development above ground level shall take place until an ecological enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog provisions and other ecological enhancements. The approved scheme shall be fully implemented prior to first occupation or in accordance with a timescale agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan policies 57, 59 and 70 and the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022)

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellinghouses, additions or alterations to the roofs, buildings or enclosures incidental to the enjoyment of the dwellinghouses falling within Classes A, B, C and E shall be constructed.

Reason: To protect and preserve the character and appearance of the area and to protect the amenity and living conditions of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire District Council Local Plan (2018).

20. If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

Informatives

1. In response to the water scarcity issues that the Cambridge Water revised draft Water Resources Management Plan, September 2023, is seeking to respond to, the Council seeks to encourage all applicants to achieve a design standard of water use of no more than 100 litres/person/day.
2. In order to facilitate the upgrade of heating systems to efficient electric heating (e.g. heat pump), radiators shall be sized and fitted on the basis of running at a maximum of 45 degree C flow temperature to all residential units. For all residential units, identify an appropriate space for external air source heat pump units that are in accordance with permitted development rights requirements in terms of noise, proximity to boundaries and physical size, plus provide valved and blanked pipework connections between the external unit and the primary heating installations (heating pump and hot water tank), to enable the use of the heat pump system with minimum disruption to gas boiler removal. The hot water tank is to incorporate sufficient heat exchanger area and storage volume to allow a designated heat pump system with domestic hot water capability to be used, without the need for replacement or upgrade.

Informatives

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