



Planning Committee Date	9 August 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/02061/FUL
Site	73 High Street Cottenham
Ward / Parish	Cottenham
Proposal	Change of use of public house with flat (Sui Generis) to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings
Applicant	Gary Jackson
Presenting Officer	Alice Young
Reason Reported Committee	to Referred from Delegation Panel due to Parish Objection
Member Site Visit Date	N/A
Key Issues	1. Biodiversity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks change of use of public house with flat (SG) to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings. The existing vehicular access will be retained, and two parking spaces will be provided one per dwelling within the site.
- 1.2 An almost identical application (21/02117/FUL) was submitted in 2022 and was determined by planning committee on 19.01.2021 where members overturned officer's recommendation for approval and refused the application for three reasons: the loss of the pub and impact on the service provision in Cottenham; the impact on the character of the conservation area; and the impact on highway safety. This decision was subsequently appealed to the Planning Inspectorate where the Inspector did not uphold the council's reasons for refusal and concluded that there was no significant harm for these reasons but did dismiss the appeal introducing a single reason for refusal on the basis of insufficient information to demonstrate that no harm would arise to protected species.
- 1.3 This application seeks to overcome the harm identified by the Inspector by providing additional information in the form of a nocturnal bat survey to ascertain the number of actual bats roosting in the outbuilding and annex proposed to be demolished. The nocturnal bat survey submitted confirms that there are no bats within the outbuilding and annex and the Ecology Officer therefore advises that there are sufficient information and mitigations in place to protect protected species.
- 1.4 The recent appeal decision is given significant weight as a material consideration in the assessment of the application as the proposed design of the development nor the relevant national or local planning policy have changed since this appeal decision in May 2023.
- 1.5 When weighing the application in the planning balance, officers consider that the public benefits of the scheme outweigh the less than substantial harm arising from the loss of the activity the former pub contributed to the character of the conservation area. This follows the weight applied by the Inspector.
- 1.6 The proposal would reuse a currently vacant pub for housing whilst ensuring efficient use of land by providing an additional dwelling which would not result in significant harm to settlement characteristics or the vitality and vibrancy of Cottenham village.
- 1.7 Officers recommend that the Planning Committee approve the application subject to the recommended conditions.

2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area	x	Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The site is located on the south-eastern side of Cottenham High Street, 0.5 miles from the village centre as designated in the Cottenham Neighbourhood Plan. The application site outlined in red refers to the public house (formerly the Jolly Millers), several outbuildings and pub amenity land to the south-east. The pub has been vacant for an extended period of time, for at least 4 years including prior to the COVID-19 pandemic.
- 2.2 The development framework boundary cuts through the site 38m into the site, with all of the buildings and hardstanding being located within the development framework. The site falls within the Cottenham conservation area, outside the flood zone and does not contain any TPO trees. The site sits within the Impact Risk Zone of a nearby statutory protected site; however, the application does not meet the criteria that would require a consultation with Natural England.
- 2.3 To the north-east of the site is Smith's Path which leads to commercial and residential units to the south-east of the site. Aside from these commercial units, predominately the site is surrounded by residential dwellings, with large plots extending beyond the development framework boundary which contain barns, outbuildings and some back-land dwellings.

3.0 The Proposal

- 3.1 The application seeks to change of use of public house with flat (SG) to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings. The existing vehicular access will be retained and two parking spaces will be provided one per dwelling within the site.
- 3.2 The application is a resubmission of a previous application which was dismissed at appeal. It is identical aside from additional information regarding protected species submitted to overcome the reason for refusal.

4.0 Relevant Site History

Reference	Description	Outcome
21/02117/FUL	Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings	Appeal dismissed
21/0670/TTCA	Fell because of causing blockage of gutters and soakaways, obstruction to driveway, damage to driveway, too close to property and suffering from ash die back as well as having no amenity value. Gardens have enough trees and more will be planted with landscaping further away from buildings when landscaping completed to wasteland behind next season. Felling will allow clear and better views of eucalyptus further back in sight	No objection
21/0093/TTCA	Eucalyptus Tree 2) Removal of canopy overhang by cutting back to boundary line due to loss of light rendering my garden unusable. Overshadowing is killing my vegetation and grass. Mulberry Tree 1) Fell Mulberry tree due to being badly pruned by previous owners and irreversible imbalance of branches. It is also in a bad location for enjoyment of garden in obstructive central location as well as being a very poor specimen. There are enough trees around the site perimeter so views of these will be improved as well as giving better views across open fields and landscapes to distant trees.	No objection
20/2138/TTCA	T1 WILLOW ~ tree in decline (25% dead) with honey fungus ~ top and fell to ground level; T2 MULBERRY ~ previously poorly pruned and wind damaged ~ remove wind	No objection

damaged limb; formatively prune remaining crown by height reduction of 2ms and laterals by 1m to rebalance; T3 ASH ~ large crown to reduce overall by 2.5 to 3ms;

- 4.1 21/02117/FUL was determined by planning committee on 19.01.2021 where members overturned officer's recommendation for approval and refused the application for three reasons: the loss of the pub and impact on the service provision in Cottenham; the impact on the character of the conservation area; and the impact on highway safety. This decision was then appealed to the Planning Inspectorate where the Inspector did not uphold the council's reasons for refusal and concluded that there was no significant harm for these reasons but did dismiss the appeal introducing a single reason for refusal on the basis of insufficient information to demonstrate that no harm would arise to protected species.
- 4.2 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix A.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance 2021

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 South Cambridgeshire Local Plan 2018

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
S/8 Rural Centres
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
H/12 Residential Space Standards
SC/3 Protection of Village Services and Facilities
SC/9 Lighting Proposals
SC/10 Noise Pollution
SC/12 Air Quality
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/10 Broadband

5.3 Neighbourhood Plan

Cottenham Neighbourhood Plan (made 20 May 2021)

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 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009
District Design Guide SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009
Cottenham Village Design Statement SPD – Adopted November 2007

6.0 Consultations

6.1 Parish Council – Object and request referral to Planning Committee?

6.2 Summary:

- Inconsistencies on the submission documentation
- Waggon and Horses has stopped trading and planning applications have been submitted to turn it into residential accommodation; this leaves only 2 pubs in Cottenham and the Cottenham Social Club no longer exists.
- Contrary to COH1-4a because of the removal of the outbuilding and trees removed
- Contrary to COH1-5 as it would change the linear pattern of the High Street. Amenity land over the village boundary.
- Contrary to Cottenham Neighbourhood Plan policies COH/1-5 f, g, h and j (responsive to village characteristics - building lines; relationship between buildings and car parking; maintenance/creation of vistas between properties; and incorporation of native species trees within gardens).
- Noted that the applicant has already removed the pub sign. The development is in the Conservation Area and as such this should be preserved.
- There is no need for additional housing in the village currently due to several ongoing major developments. There is therefore no public benefit to provide additional housing over and above what has already been agreed prior to the Cottenham Neighbourhood Plan being passed.
- The application doesn't accord with the required parking standards, with only 2 parking spaces shared between the two properties.

6.3 County Highways Development Management –No Objection

6.4 Recommended conditions:

- Accesses constructed to prevent water onto the highway
- Bound access
- No gates (removal of PD rights)
- Licence informative

6.5 Sustainable Drainage Officer –No Objection

6.6 Recommended conditions:

- Surface and foul water drainage condition

6.7 Conservation Officer – Partial Objection

6.8 The proposed change of use and loss of the historic public house use is regrettable and considered detrimental to the character of the conservation area. It is noted that a viability assessment is included with the application to justify the change. The general principle of the additional dwelling and its

design continue to be supported, subject to detail of materials and boundary treatments.

- 6.9 It is considered that the proposed loss of the pub use would not preserve or enhance the character of the conservation area for the reasons set out above. The proposed additional dwelling is considered to preserve the character or appearance of the conservation area, subject to detail. In respect of NPPF paragraphs 199-202 and local plan policy NH/14, it is considered the proposal would result in some harm to the significance of the designated heritage asset. The harm would be less than substantial and should therefore be balanced by the decision maker against the benefits of the proposal.

6.10 Ecology Officer –No Objection

- 6.11 Recommended conditions:
- Ecological enhancement condition
 - BNG condition
 - A condition securing that works are carried out in accordance with the Bat Survey Report submitted

- 6.12 The site consists of a Public House, outbuildings standing trees, grasslands, and introduced shrub. The site sits within the Impact Risk Zone of a nearby statutory protected site; however, the application does not meet the criteria that would require a consultation with Natural England. There are no non-statutory protected sites within the vicinity of the application site that are likely to be impacted by the application. Species data shows great crested newt and other amphibians, barn owl and other breeding birds, invertebrates, bats, badger, water vole, and hedgehog have all been recorded locally.

- 6.13 Although the outbuilding was found to have a low suitability for roosting bats, after the recommended nocturnal survey was undertaken, no roosting bats were found. No other evidence was found to indicate a protected species licence would be required prior to the commencement of works. I have no reason to disagree with the analysis, and do not require any further species surveys to be submitted.

- 6.14 No biodiversity net gain analysis has been submitted to support the application. There appears to be some loss of habitat for the footprint of the new dwelling; however, the area currently occupied by the outbuilding will be returned to lawn. Therefore, it is likely that any biodiversity net gain required can be provided within the redline boundary.

6.15 Tree Officer – No Objection

- 6.16 There are no tree related documents to consult on. A desktop assessment suggests that there are no trees in the area of the proposed development. Trees on or adjacent to the site have a level of protection through the local conservation area

6.17 Environmental Health – No Objection

6.18 Recommended conditions:

- Construction hours restriction
- Piling condition
- Air source heat pump informative
- Demolition informative
- Noise informative

7.0 Third Party Representations

7.1 0 representations have been received.

8.0 Member Representations

Not applicable

9.0 Local Interest Groups and Organisations / Petition

9.1 CAMRA has made a representation objecting to the application on the following grounds:

- The Jolly Millers serves the north of Cottenham, all other pubs are located centrally in the village a 15-minute walk from the Jolly Millers. The nearest pub to the Jolly Millers outside of Cottenham is the Black Horse in Rampton, a 40-minute walk away. The pubs in Histon & Impington are even further away.
- The planning application includes a Pub Viability Assessment carried out by Everard Cole. We believe that the Jolly Millers changed tenants in September 2017 but didn't cease trading in mid 2018. (This is 9 months later than the Assessment states.) It was owned by Admiral Taverns who initially sought new tied tenants. It was subsequently put on the market through agents and sold in summer 2020.
- The Pub Viability Assessment is dated 2 November 2020 and was carried out while the Covid pandemic was severely depressing the hospitality trade. The more than two years since the Assessment was carried out has seen the effect of Covid lessen although pubs are now facing different challenges. These include the cost of living rises that affect drinkers and rising energy costs although these may ease in the future. The Assessment states that, although there had been a national loss of pubs over several years, by 2019 this was beginning to be reversed in England. That, combined with the population growth that Cottenham is likely to experience over coming years, suggests that a reopened Jolly Millers could attract more customers as a free of tie pub in the future than it used to as a tied

pub in 2010-2018 as free of tie pubs are more able to respond to customers wishes.

- Experience shows that when communities lose their pubs they rarely, if ever, regain them. This is partly due to the cost of building a new pub or converting an existing building to pub use. If the Jolly Millers was to permanently close as a pub we believe that there is little or no chance that the north of Cottenham would ever get a pub back.

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

10.1 Planning Background

10.2 A recent appeal on site for the same proposal was dismissed by the Planning Inspectorate for a single reason for refusal relating to the lack of information to demonstrate that protected species would not be adversely affected by the development. This is a material planning consideration given great weight.

10.3 This previous application (21/02117/FUL) was refused at planning committee for three reasons:

1. The proposal would result in the permanent loss of a village pub use and diminish the potential flexible use of the building and of its curtilage which, in view of the residential expansion of Cottenham, would result in an unacceptable reduction in the potential level of community or service provision that the site could contribute towards. It has not therefore been adequately demonstrated that the future use of the site as a public house / community facility would not be viable. As such, the proposal is contrary to policy SC/3 of the SCLP 2018 and paragraph 93 (a) of the National Planning Policy Framework (2021) which gives local planning authorities a responsibility to plan positively for the provision and use of community facilities including pubs and 93 (c) to guard against the unnecessary loss of valued facilities.
2. The proposed dwelling in the rear garden of the Jolly Millers would urbanise and enclose the rear area of the site, diminish views of the Fen Edge character of this part of Cottenham and be at odds with the linear character of Cottenham. As a result, the development would harm the character of the landscaped edge of this part of Cottenham and result in less than substantial harm to the character and appearance of the Cottenham Conservation Area. The harm to heritage would not be outweighed by the public benefits of the proposal including the provision of additional housing. As such, the proposal is contrary to policies HQ/1, NH/2 and NH/14 of SCLP 2018,

policies COH/1-2, COH/1-4 and COH/1/5 of the Cottenham Neighbourhood Plan 2021 and para. 202 of the NPPF 2021.

3. The proposed development would underprovide car parking within the site and result in residential parking on the High Street impairing visibility for cars exiting the site access. As such, the proposal would fail to successfully integrate adequate parking provision and compromise highway safety contrary to policies HQ/1 and TI/3 of SCLP 2018 and the NPPF 2021 para. 111.

10.4 In the appeal decision the Inspector concluded that the appeal development did not result in an unacceptable level of service provision in Cottenham, did not harm the character and appearance of the conservation area or harm the functioning of the highway due to an under provision of car parking. However, the Inspector concluded that the proposal did however have insufficient information within the submission to demonstrate that harm to protected species (bats) would not arise from the development.

10.5 This revised application (23/02061/FUL) seeks to overcome the harm identified by the Inspector by providing additional information regarding a nocturnal bat survey. The proposed development remains the same as previously submitted aside from this additional ecological information. Therefore, the appeal decision carries significant material weight in assessing the application.

10.6 Principle of Development

Principle of the loss of the pub

10.7 The public house (formerly the Jolly Millers) with a flat at first floor is situated within the development framework. Policy SC/3 of the Local Plan protects village services and facilities and states that planning permission will be refused for proposals which would result in the loss of a village service (including pubs) where such loss would cause an unacceptable reduction in the level of community or service provision in the locality.

10.8 In the recent appeal decision, following the Council's refusal of the previous application, for the same proposal the Inspector concluded that the loss of the pub would not reduce community or service provision in Cottenham to an unacceptable level. The Inspector detailed that this was because there is a wide variety of services in Cottenham including three other pubs (noting that one is currently closed) and several other licenced premises; and that the viability report demonstrated that the pub would not be viable in the current post-COVID economic climate. The Inspector did not consider that the 460 new dwellings in Cottenham justified the need to retain the pub, but rather that the financial contributions for community facilities from these developments has resulted in the opening of Cottenham Village Hall, which is also licenced, can provide a similar community and service provision as The Jolly Millers, in a more central location.

- 10.9 The current application is made on the same information as the recent appealed scheme and no new planning policies have been adopted since this appeal decision. Therefore, significant weight is given to this recent appeal decision and officers conclude that, as outlined in the appeal decision, by virtue of the financial viability of the pub alongside the variety of services within Cottenham, the loss of the pub would not lead to an unacceptable reduction in the level of community or service provision in Cottenham and as such is acceptable and does not conflict with policy SC/3 or paragraph 93 of the NPPF.

Principle of development outside the framework

- 10.10 The Council's strategy for managing housing growth is set out in Chapter 2 'Spatial Strategy' of the South Cambridgeshire Local Plan 2018.
- 10.11 The strategy outlines the settlement hierarchy where firstly development is focused on existing settlements using defined development frameworks. The principal reasons for this are two-fold: to prevent development encroaching upon the open countryside and to prevent unsustainable growth in areas where there is insufficient infrastructure to support such development.
- 10.12 Policy S/7 (criterion 2) of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted. This is reiterated in policy COH/2-1 of the Cottenham Neighbourhood Plan.
- 10.13 The Cottenham development framework boundary transects the site 38m to the south-east of the High Street. The remainder of existing site outside of the framework is pub amenity land and, therefore, not defined as open countryside. This land, when the pub was in operation, was used for outside dining and socialising, with benches and other landscaping to accommodate this. The proposed dwelling would be sited within the development framework boundary. The amenity space for the new dwelling would extend beyond the framework boundary. As this land is pub amenity land, not defined as open countryside, the character of this land is distinctly different to open countryside. Officers consider that the proposal, by virtue of the land being pub amenity land, would not encroach into the open countryside and would therefore not conflict with the aims of policy S/7.
- 10.14 The second aim of the strategy guards against piecemeal unsustainable growth. Policy S/8 designates Cottenham as a Rural Centre and states that residential development and redevelopment within the development framework of Rural Centres will be permitted without any limit on individual scheme size due to the variety of facilities, good transport links and education access.

10.15 The proposal locates all built form within the development framework boundary, with only residential amenity land located outside of the framework boundary. By virtue of this, alongside the existing use of the land (pub amenity land, not open countryside) and facilities provided within Cottenham, officers consider that the proposal would not result in piecemeal unsustainable development in an area where there is insufficient infrastructure to support such development. The Inspector agreed with this approach as outlined in the appeal decision (see appendix A).

10.16 Taking the above into account, officers consider that the proposal would not give rise to any harm arising from encroachment and does not conflict with the overarching aims and objectives of the housing strategy which policy S/7 seeks to embed.

10.17 The principle of the development is therefore acceptable and in accordance with policy S/7, S/8 and SC/3 of the South Cambridgeshire Local Plan (2018) and the NPPF.

10.18 Housing Provision

Density

10.19 Policy H/8 requires housing density in new settlements and urban extensions to achieve a housing density of 30 dwellings per hectare (dph) and in Rural Centres. The policy states that density may vary where justified by the character of the locality, the scale of the development, or other local circumstances.

10.20 The site measures approximately 0.06 hectares in area. The provision of 2 dwellings on the site would equate to a density of approximately 33.3 dwellings per hectare. Therefore, the density of development on the site would be slightly above the requirement of 30 dwellings per hectare as stipulated by policy H/8. Yet given the surrounding pattern of development, the site constraints and extensive land to the east, which is in the ownership of the applicant, the proposed density is considered not to be out of character in this context or when weighed against other considerations, to result in harm.

10.21 The proposed density accords with policy H/8.

10.22 Design, Layout, Scale and Landscaping

10.23 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

10.24 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only

where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.

- 10.25 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 10.26 Cottenham is considered to have a ‘fen-edge’ character as stated in the Cottenham Neighbourhood Plan which the site contributes to. This area of Cottenham is characterised by front facing properties orientated to the High Street with long rear plots extending beyond the development framework boundary. Within these plots, built form is not uncommon with outbuildings, warehouses and comparatively smaller scaled dwellings present. Smith’s Path, directly north-east of the site, is a vehicular road and leads to commercial and residential units to the east of the site. These fall completely outside the development framework, and at most are located approximately 170m east of the High Street. It is important to note that no. 71, north of the application site, has been subdivided to provide a larger dwelling which extends beyond the framework boundary. Whilst this consent was granted in 2014, on the previous Development Plan, it remains a material consideration which weight is attached. Therefore, considering the surrounding context, officers consider that the character of the area includes structures ancillary in appearance in this back-land position. This is reflected in the Cottenham Heritage and Character Assessment, part of the evidence base for the Cottenham Neighbourhood Plan 2021, which states that *“backland development is common along the length of the High Street where long plots have been subdivided, original buildings have been extended or agricultural buildings converted to residential or commercial use. Buildings are generally two or three storeys in height and constructed in a range of materials”*.
- 10.27 The proposed dwelling, by virtue of its scale, massing and barn-like design, would appear subservient to the converted pub building in both form and character, appearing as an ancillary building. It is similar in appearance to that of no. 71a to the north of the site yet smaller in scale and differs in detailing. To ensure high quality external appearance, officers find it reasonable and necessary to secure material samples via condition.
- 10.28 The Parish Council have raised concerns regarding the proposal restricting vistas between buildings to the open countryside from the High Street. These vistas currently have built form either side with views of the countryside in the distance. There would be glimpse views of the proposed dwelling from the High Street from both the north and south of the former pub building, due to the vehicular accesses of Smith’s Path and no. 71a and the access between the former pub and no. 75. However, as the dwelling would be similar in scale to the existing outbuilding, sited further away from the High Street and tucked behind the existing pub building, officers consider it would not significantly compromise views of the countryside beyond the site. The development would be seen within the context of other

built form behind the High Street building line such as the industrial units accessed via Smiths Path and no. 71a sited just beyond the rear of no. 71.

10.29 In the recent appeal, the Inspector stated that the proposed dwelling to the rear of no. 73 would be *“closely related to and subservient to the former public house, sustaining the existing character of buildings at the rear of houses along the High Street and the lane, most of which are in residential use”*. Development would be seen within the context of existing similar adjacent development which extend much closer to the landscape edge than the proposed building would. As a result, the Inspector concluded that the proposed dwelling would not adversely impact upon the character of the area. There have been no changes in policy or in the context of the proposal which would alter this assessment.

10.30 Taking the above into account, officers consider that the views from the High Street of the open countryside would not be compromised by the development and the proposal would not appear out of character or adversely impact upon the street scene. Therefore, officers are satisfied that the proposal complies with policies HQ/1 and NH/14 of the Local Plan and COH/1-5 of the Cottenham Neighbourhood Plan.

10.31 Trees/ landscaping

10.32 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.33 The site currently comprises hardstanding, outbuildings, grassland and two trees, one mature tree which is located on the southern boundary and one tree which is proposed to be removed sited centrally within the plot. This mature tree which is located on the southern boundary does fall within the red line boundary and will be retained as part of the development. The central tree already has consent to be removed and therefore has been assessed as acceptable to be removed. It is important to note that aerial photographic records are not representative of the land to the east of the site (outlined in blue) given several trees gained consent to be removed which has been carried out. Officers highlight that these are outside of this application site boundary. The Council's Tree Officer raises no objection to the proposal.

10.34 The site falls within the 'fen edge', a flat featureless landscape as described in the Cottenham Neighbourhood Plan that should be conserved. The proposed dwelling, by virtue of its siting within the development framework, modest scale and massing, would not unduly harm this fen edge landscape character. Within the site, landscaping would be more formalised, so to ensure the rural character is maintained, officers find it reasonable and necessary to impose a hard and soft landscaping details to be submitted via condition.

- 10.35 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4, HQ/1 of the Local Plan.

10.36 Heritage Assets

- 10.37 The application falls with the Cottenham Conservation Area.
- 10.38 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 10.39 Para. 199 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. 200 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...'
- 10.40 Local Plan policy NH/14 aligns with the statutory provisions and NPPF advice. Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.
- 10.41 The application has been subject to consultation with the Conservation Officer, who raises a partial objection to the application. The Conservation Officer considers that the dwelling to the rear is supported and does not harm the character and appearance of the conservation area.
- 10.42 The Conservation Officer does, however, object to the change of use of the pub as there would be detrimental harm to the character of the conservation area from the loss of the activity / use of the pub building. The Conservation Officer has classed this as less than substantial harm. As part of the recent appeal decision for the same proposal the Inspector agreed there was harm to the conservation area arising from the loss of the pub but concluded that the public benefits of the scheme would outweigh the less than substantial harm to the character of the conservation area. As the proposal remains the same as that subject to the appeal decision and there has been no planning policy change, officers consider that this assessment of the harm to heritage

assets remains the same and that less than substantial harm is still outweighed by the public benefit of the proposal.

- 10.43 It is regrettable that the pub sign has been removed and officers are working with the applicant to see whether it is possible to reinstate the sign. This was sought as part of the previous application and officers note its importance to the community. Therefore, we hope to secure this via condition provided it is feasible for it to be reinstated. An update on these discussions will be given at planning committee.
- 10.44 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 or the setting of listed buildings. 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 policy NH/14.

10.45 Carbon Reduction and Sustainable Design

- 10.46 The Councils' 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 as required by policy CC/1.
- 10.47 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 10.48 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.
- 10.49 Officers consider it reasonable and necessary to impose conditions requiring a scheme to demonstrate a minimum reduction of 10% of carbon emissions for the new dwelling and that the new dwelling achieve a minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016).
- 10.50 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.51 Biodiversity

- 10.52 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require 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 accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.53 The proposal includes the demolition of the existing annex and store. A bat survey report along with a Bat and Nesting Bird Report have been submitted. As part of the recent appeal decision on the same proposal the Inspector, in the assessment of the previous submission, concluded that while the bat roosting suitability was low for the building proposed to be demolished, the building had moderate habitat connectivity which indicated there was continuous and connected habitat linking to the wider landscape which could be used by bats. The Inspector continued to conclude that there was insufficient information to demonstrate that impacts on protected species would not arise from the development and the extent that they may be affected can be avoided or mitigated against.
- 10.54 To overcome the harm outlined by the Inspector, this current application is accompanied by a preliminary roost assessment and an additional nocturnal bat survey. This has been subject of consultation with the Ecology Officer who has raised no objection to the proposal. Although the annex has been found to have a 'low' roost suitability after the recommended nocturnal survey was undertaken, no roosting bats were found. No other evidence was found to indicate a protected species licence would be required prior to the commencement of works. The Ecology Officer has advised that there is no reason to disagree with the analysis and confirm that they do not require any further species surveys to be submitted.
- 10.55 No biodiversity net gain analysis has been submitted to support the application. The Ecology Officer has advised that there appears to be some loss of habitat for the footprint of the new dwelling; however, the area currently occupied by the outbuilding will be returned to lawn. Therefore, it is likely that any biodiversity net gain required can be provided within the redline boundary. As such the Ecology Officer recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered. These are considered reasonable and necessary to impose.
- 10.56 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

10.57 Water Management and Flood Risk

- 10.58 Policies CC/7, CC/8 and CC/9 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.
- 10.59 As the application site falls outside the designated flood zones and areas which are at risk of surface water flooding, the site is considered as having low probability of flooding.
- 10.60 The Drainage Officer has advised that the development is not considered to increase the risk of flooding to the site and surrounding area, subject to an acceptable scheme of surface water and foul drainage that is maintained for the lifetime of the development. Officers therefore consider it reasonable and necessary to impose a condition for details of foul water and surface water drainage that can be maintained for the lifetime of the development to ensure the development is acceptable in terms of flood risk and drainage.
- 10.61 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

10.62 Access, Highway Safety and Parking

- 10.63 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 10.64 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 10.65 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.
- 10.66 The existing site has a vehicular access directly onto the High Street. This access is retained as part of the proposal and utilised for access to the proposed dwelling and car parking for both dwellings.
- 10.67 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who raise no objection to the proposal subject to conditions. These conditions are considered reasonable and necessary to impose.
- 10.68 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. The proposal provides one per dwelling within the red line and there is sufficient space to accommodate two further vehicles on the High Street.

- 10.69 In assessing the highway safety impact and parking, as part of the recent appeal decision for the same development the Inspector stated that the two car parking spaces proposed would be a similar arrangement to the existing situation where cars currently park to the rear for the residents of the first floor flat and residential annex to the rear with any additional cars located on the roadside. It was also highlighted that as parking on the road is common and the pub use would likely have a higher parking requirement in the Local Plan. Taking this into account, the Inspector concluded that the car parking provided was acceptable and the highway safety impact would be less than if the pub were to reopen. Therefore, there was no conflict with HQ/1 or TI/3 of the Local Plan or NPPF paragraph 111. Nothing has changed since this assessment so officers consider that the proposal would continue to adhere to local and national policies.
- 10.70 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future. Officers consider that given the scale of the development and the existing situation, it would be unreasonable to impose a condition to require EV charging.

Cycle Parking

- 10.71 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.
- 10.72 Sufficient space has been provided for cycle stores for each dwelling. The full details will be secured via condition.
- 10.73 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.74 Amenity

- 10.75 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 10.76 The District Design Guide 2010 advises that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25m should be provided between rear or side building faces containing habitable rooms, which should be increased

to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.

Neighbouring Properties

- 10.77 Given the siting of the proposed dwelling, the neighbours that may be impacted by the development are no. 71a and no. 69 High Street.
- 10.78 The proposed dwelling would be sited approximately 13.7m south-west of no.71a and the side elevation (south-western) contains windows which serve habitable rooms. By virtue of this separation distance, alongside the scale (3.7m to the eaves), massing and pitched roof design, the proposal would not significantly adversely impact upon the amenity of no. 71a in terms of overbearing or overshadowing. There are no windows which would give rise to overlooking to no. 71a.
- 10.79 The proposed dwelling would be located 5m from the south-western neighbour no. 75. Given the siting (5m from the common boundary adjacent to no.75 rear garden), scale, massing and design of the proposed dwelling, the proposal would not result in a significant impediment to no. 75's residential amenity in terms of overbearing or overshadowing. The proposed dwelling includes a first-floor bedroom window on the southern elevation which would allow views to the mid-section of no. 75's rear garden. Given this relationship, occupiers may have oblique views of no. 75's rear patio, as such officers consider it reasonable and necessary to obscure glaze this window. The proposal results in an intensification of the use of the existing access adjacent to no. 75. However, given the existing use of the access, alongside the proposed residential nature of the site, officers consider that noise disturbance arising from the proposed vehicular movements would not be significant. In any event, two residential units are likely to be far more neighbourly uses than a public house with a substantial outside garden area associated with it.

Future Occupants

- 10.80 Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.
- 10.81 The District Design Guide 2010 advises that each one or two-bedroom house should have private garden space of 40m² in urban settings and 50m² in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50m² in urban settings and 80m² in rural settings.
- 10.82 The proposal would result in the existing pub being converted into a family dwelling/house and the erection of a further dwelling to the east of this new planning unit. The proposed modestly scaled dwelling, given the proposed

layout, would be of sufficient distance away from the main house (no. 73) so as not to significantly overbear or overshadow no.73's rear garden or rear facing habitable rooms. The proposed dwelling includes a window facing north-west which could give rise to views into the converted pub's rear garden. Therefore, officers consider it reasonable and necessary to impose a condition to obscure glaze this window. The converted dwelling would have a generous internal footprint, exceeding the requirements of H/12 and the National Space Standards, and all habitable rooms would have a pleasant outlook, good light levels and adequate circulation space. The rear garden attributed to the converted dwelling would be an adequate size at 75m², conforming to the District Design Guide. Taking this into account, the proposal would create a good quality living environment for the future occupiers of no. 73.

- 10.83 The proposed dwelling to the east of the main house (former pub) would also benefit from an adequate garden which would be in proportion to the number of intended occupiers (210m²). The dwelling would be 83m² internally, exceeding the minimum standard stipulated in policy H/12 and the National Space Standards whilst providing a good quality outlook, light levels and circulation space for habitable rooms. The recommended obscure glazed conditions are not considered to compromise the quality of the living environment for future occupiers. By virtue of these factors, officers consider that the proposal would result in a good quality living environment for the future occupiers of proposed dwelling. The proposal is considered to accord with policies HQ/1(n) of the Local Plan.

10.84 Construction and Environmental Health Impacts

- 10.85 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.

- 10.86 The Council's Environmental Health Team have raised no objection to the proposal subject to conditions restricting construction hours and requiring further information if piling is carried out. All of these conditions are considered reasonable and necessary. The Environmental Health Officer also has recommended several informatives regarding air source heat pump noise, demolition and general noise.

- 10.87 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

10.88 Other Matters

- 10.89 Policy HQ/1 requires bin stores to be appropriately integrated within the overall development. Sufficient space has been made to accommodate bin stores within the site plan. Full details will be secured via condition.
- 10.90 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. A condition is proposed to ensure this provision.

10.91 Planning Balance

- 10.92 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).
- 10.93 The proposed development is identical to a previous application which was the subject of a recent appeal decision, the Planning Inspectorate refused the previous proposal on a single reason for refusal relating to the lack of sufficient information to demonstrate that no harm would arise to protected species. With this current proposal the applicant has submitted a nocturnal bat survey, as well as a Bat and Nesting Bird Report, which found no presence of bats. The Ecology Officer considers there to be sufficient information and adequate mitigations in place to protect protected species
- 10.94 As detailed above, officers, in alignment with the recent appeal decision, conclude that there is less than substantial harm to the conservation area resulting from the loss of the pub through its activity. However, this is outweighed, as concluded by the Inspector, by the public benefits the proposed development brings. These include providing two high quality dwellings in a sustainable location.
- 10.95 The proposal would reuse a currently vacant pub for housing whilst ensuring efficient use of land by providing an additional dwelling which would not result in significant harm to settlement characteristics or the vitality and vibrancy of Cottenham village. This was confirmed by the Inspector at the recent appeal.
- 10.96 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and 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 subject to conditions.

11.0 Recommendation

- 11.1 **Approve** subject to:

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

12.0 Planning Conditions

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

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

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

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

- 3 No development shall take place until a scheme for the disposal of surface water and foul water drainage that can be maintained for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure a satisfactory method of surface water drainage and foul water drainage to prevent the increased risk of flooding and pollution to the water environment in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 4 All ecological measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report (Sound Ecology, May 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 5 No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-180 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.

Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 6 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been

submitted to and approved by the Local Planning Authority. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) Full details of any piling technique to be employed, if relevant
- b) Contact details for the site manager, including how these details will be displayed.

Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

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

Reason: To ensure 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.

- 8 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) car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials;
- 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;
- c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected, including gaps for hedgehogs
- d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

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.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 9 No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.

Reason - In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2021 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.

- 10 The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

Reason - To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.

- 11 The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

- 12 The development, hereby permitted, shall not be occupied until the proposed first floor windows in the north-western and south-western elevation of the development have, apart from any top hung vent, 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 in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 13 Notwithstanding the approved plans, the development, hereby permitted, shall retain the hanging pub sign at first floor.

Reason: To avoid harm to the conservation area in accordance with policy NH/14 of the South Cambridgeshire Local Plan 2018.

- 14 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles and refuse storage arrangements 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. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles and adequate facilities for waste management in accordance with Policy TI/3 and HQ/1 of the South Cambridgeshire Local Plan 2018.

- 15 Notwithstanding the provision of Class A of Schedule 2, Part 2 of The Town and Country Planning (General Permitted Development) [England] Order 2015, (or any order revoking, amending or reenacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.

- 16 The proposed access shall be constructed so that their fall and levels are such that no private water from the site drains across or onto the adopted public highway. The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.

- 17 The proposed vehicular access shall be constructed using a bound material, for the first 5 metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the public highway.

Reason - In the interests of residential amenity and highway safety in accordance with Policies HQ/1, CC/6 and TI/2 of the South Cambridgeshire Local Plan 2018.

- 18 The soft landscaping areas as set out on the plans shall be retained as garden land and only two car parking spaces shall be provided within the rear part of the site at any one time.

Reason: To ensure there is no intensification of use of the access in the interests of highway safety

19. No development above ground level, other than demolition, shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Authority. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022) The installation of the boxes and biodiversity enhancements as agreed shall be carried out prior to the occupation of the development and subsequently maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

20. 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 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 latest appropriate DEFRA metric;
 - 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 latest appropriate DEFRA metric;
 - 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 the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

Informatives

1. Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's Shared Planning Service establishing the way in which they will be dismantled, including

any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.

2. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the public highway, including public rights of way, and that separate permissions must be sought from the Highway Authority for such works
3. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactory and any defects remedied to ensure that the noise levels do not increase over time.
- 4 The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.

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.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs