

- 1.2 To the east of the site are the residential gardens of No's 89 and 91 De Freville Avenue. To the north of the site is the residential garden and shed of No.87 De Freville Avenue. Immediately adjacent to the west of the site is a 1 metre wide footpath and beyond this is the dwelling of no.92 Kimberley Road which fronts and also has access onto the private drive. Immediately adjacent to the south of the site is a Horse Chestnut tree and beyond this are the university boathouses.
- 1.3 The site falls within the De Freville Conservation Area. Banhams Close which is located to the south of the site and provides access to the boathouses and Beaulands Close (private flats). There is a mature Horse Chestnut tree adjacent to southern boundary which overhangs the site. There is also a mature London Plane tree within the rear garden of no.87 De Freville Avenue. None of these trees are protected by a Tree Preservation Order but the London Plane is within the Conservation Area. Nevertheless both trees, due to their size have amenity value. There are no trees within the site. The site falls close to the river and borders Flood Zone 1 and 2. The site is situated within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 This application is a re-submission of a previously refused application reference 13/1661/FUL. The site has had permission in the past for the erection of a bungalow. The previous scheme was refused on two grounds:
- *The proposed development, by virtue of its height and length adjacent to the boundary of the garden of no. 87 De Freville Avenue, would appear as an overly dominant, enclosing and hard visual form in an otherwise mainly soft and green landscaped garden environment. As such, it would result in significant detriment to the amenity of the occupants of no. 87 De Freville Avenue contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.*
 - *Due to the layout of the proposed dwelling, the proximity of the canopy of trees T2 and T3 and the extent of shading that would occur, allowing the proposal would result in considerable pressure to fell or significantly prune these trees from future occupants to the detriment of the visual amenity of the Conservation Area. As such, the proposal fails to take into*

account the proximity of the tree in its design and layout and does not respond positively to its context or site constraints and is contrary to policies 3/4, 3/10, 3/12, 4/4 and 4/11 of the Cambridge Local Plan 2006.

- 2.2 This amended application seeks the approval for a single storey detached dwelling and works to existing trees. The layout of the amended proposal is also different to the refused scheme in that it is an 'L' shaped building rather than a rectangular block. The length and position of the amended dwelling is shorter, positioned further down towards the rear of the garden and has a hipped and half pitched roof form. The access into the site is still off Kimberley Road.
- 2.3 The proposal includes a driveway/amenity area at the front and a private courtyard in the north-east corner of the site. The proposal includes enclosed bin and cycle storage.
- 2.4 The proposed dwelling has been amended from its original conception during the course of this application. The gable end on west elevation, which faces no.92 Kimberley Road has been hipped to reduce the impact on the neighbouring property. Neighbours have been re-consultation on the amended plans.

3.0 SITE HISTORY

Reference	Description	Outcome
13/1661/FUL	Erection of a 2 storey family dwelling on land to the rear of 89-91 De Freville Avenue.	Refused

C/03/0123	Application to renew planning permission C/99/0954 for the erection of one dwelling.	A/C
C/99/0954	Outline application (amendment of C/0954/94 to erect single dwelling in rear garden with access off private drive from Kimberley Road).	A/C
C/94/0954	RENEWAL OF PLANNING APPLICATION C/0081/90 TO ERECT SINGLE DWELLING (4 BEDROOM BUNGALOW AND DOUBLE GARAGE).	A/C
C/90/0081	ERECTION OF DETACHED BUNGALOW (RENEWAL OF C/0481/85)	A/C
C/85/0481	ERECTION OF DETACHED BUNGALOW	A/C
C/81/0189	Erection of detached bungalow and garage	A/C
C/73/1011	Change of use of existing garage accommodation to self-contained dwelling	A/C
C/64/0292	Erection of house or bungalow - r/o 89 De Freville Avenue.	Ref

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER					
Cambridge Plan 2006	Local	3/1	3/4	3/7	3/10	3/11	3/12

	4/4 4/11
	5/1
	8/2 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge,

therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal should show a car parking space measuring 2.5m by 5m. Following the implementation of planning permission residents will not qualify for Residents Parking.

Environmental Health

The proposal is acceptable subject to conditions relating to construction hours and piling. In addition a wood burning stove is proposed and smokeless fuel should be considered so as not to cause a nuisance.

Drainage

The development is not acceptable. The information submitted does not meet the Sequential Test.

Additional Comments

Following the submission of additional information in response to the concerns raised, the development proposed is now considered to be acceptable to the Drainage Officer.

Urban Design and Conservation Team

The proposal is acceptable in design terms. The proposal fits well within its immediate area. The tree cover provides a screen of the proposal and subject to condition is acceptable.

Head of Streets and Open Spaces (Landscape Team)

The proposal is acceptable and the bespoke foundation design will need co-operation with the Tree Team. The landscaping has been left for future design and therefore a suitable condition is recommended.

Head of Streets and Open Space (Trees)

Whilst the proposed development can be built without material impact on the tree roots, is concerned that the trees will dominate the site and once the property is occupied there will be significant pressure to allow significant tree works/removal. Due to this issue, the proposal is not supported.

Environment Agency

Site is situated within Flood Zone 2 and 1 of the Environment Agency's Flood Map. The current predicted 1 in 100 year plus climate change flood level for this location is 5.83m ODN. Recommend a flood plan to be prepared. Drainage from roofs to an approved surface water system. Soakaways 2m below existing ground level. Clean surface water to be discharged into soakaways. Foul drainage to be connected to public foul sewer. Site operators to ensure no possibility of contamination entering the polluting surface or underground waters.

Cambridgeshire County Council (Archaeology)

No objections or archaeology requirements for this development

- 6.2 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

- 72 Kimberly Road
- 76 Kimberly Road(x2)
- 82 Kimberly Road

- 90 Kimberly Road
- 92 Kimberly Road(x2)
- 92 Kimberly Road (Vice President of the Cambridgeshire Rowing Association)
- 59 Thornton Road
- 29 High Street, Harston
- Goldie Boat House
- Trinity College Boat House
- Beaulands Close Management Ltd

7.2 The representations can be summarised as follows:

- This application should not prejudice future application of the Cambridge Rowing Club;
- Impact on trees
- Impact of the trees on the proposed house through loss of light and leading to the loss of the trees
- Impact of traffic to the access, causing inconvenience to residents
- Plans need clarifying as road name is marked incorrectly
- Access to the site should be from De Freville Avenue and Beaulands Close carpark
- Beaulands Close is a private right of way and does not include access to De Freville Avenue
- Impact of the proposal on the drainage system as the lower end of Kimberly Road is badly affected
- The scale and massing is overbearing and will lead to the loss of light
- Unsuitable as a back land development and is out of character
- Two storey form could add a mezzanine at a later date
- The size of the amenity space is not acceptable
- Rights of Way could be challenged across the access
- Restrictions on traffic and construction activity
- There is already an hazard to the lane this will add to it

7.3 The owners/occupiers of the following addresses have made representations, supporting the application:

- 87 De Freville Avenue

7.4 The representations can be summarised as follows:

- Comparison to the earlier application is irrelevant

- Comparison between dwelling and amenity courtyard is a matter for the future purchaser
- Access will not be affected

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Trees
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligations (s106 Agreement)

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There is an existing dwelling standing on the site, and the site is within a predominantly residential area. Therefore, the principle of a replacement dwelling is acceptable.

8.3 Paragraph 14 of the NPPF is also important. It states that there should be a presumption in favour of sustainable development running through the decision making process. This means approving development proposals that accord with the development plan without delay unless any adverse impact would significantly and demonstrably outweigh the benefits.

8.4 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained within the National Planning Policy Framework 2012.

Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

- 8.5 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remain acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity value gardens contribute to the City.
- 8.6 Policy 3/10 of the Cambridge Local Plan 2006, Sub-division of Existing Plots, states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) - have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) - provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) - detract from the prevailing character and appearance of the area;
 - d) - adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - e) - adversely affect trees, wildlife features or architectural features of local importance located within or close to the site;
 - and
 - f) - prejudice the comprehensive development of the wider area of which the site forms part.
- 8.7 Criteria d, e and f are not applicable to this site. I consider criteria a, b and c under the relevant headings below.
- 8.8 Subject to compliance with the criteria of Policy 3/10, which are assessed below, the principle of the new residential development is compliant with Cambridge Local Plan policies 5/1 and 3/10.

Context of site, design and external spaces

- 8.9 The application site is located to the east of no.92 Kimberley Road which is a similar style and scale single storey dwelling. Therefore the proposed dwelling would not appear out of place adjacent to the existing dwelling. The existing built form in Kimberley Road and De Frevilles Avenue is characterised by two storey Victorian terrace housing. The garden depths of the dwellings in De Frevilles Avenue are nearly double the depth of the dwellings in Kimberley Road. Many of these rear gardens contain tree planting. To the south of the site are the university boathouses which front the river. The boathouses are large two storey building. Between the boathouses and application site is a private/shared access known as Banham Close which leads to the gated development of Beaulands Close.
- 8.10 In this context, the proposed subdivision of part of the rear of no.89-91 De Frevilles Avenue is considered to be acceptable as it would retain a significant amount of garden space for the host dwelling. The proposed dwelling would also not appear out of character in this context and would not be entirely visible from Kimberley Road or De Frevilles Avenue.
- 8.11 The proposed dwelling has been designed to address the concerns and refusal reasons raised in the previous scheme (13/1661/FUL). In terms of the first refusal reason, the proposed development has been scaled down to single storey; from two storey, pull 1 metres away from the northern boundary, and has a broken form due to the rear and front courtyard. The combination of this has significantly reduced the mass of the building and visual form from the rear garden of no.87 De Frevilles Avenue. Therefore, in my view, the proposal has addressed the first refusal reason of the previous scheme.
- 8.12 The proposed contemporary design and form is considered to be acceptable in this location. The design is of similar appearance to no.92 with its angular form, pitched and hipped roofs and use of extensive glazing. The proposed dwelling would also relate well with the traditional form of the host dwellings without creating an awkward juxtaposition. I am therefore satisfied that the proposed development is of high quality and would make a positive visual contribution to this site. The proposal would also not have a significant detrimental

impact on the character or appearance of the Conservation Area.

- 8.13 In terms of external space, the proposal would provide two areas of outdoor space; the main area at the front of the dwelling off Banham Close and a smaller private courtyard in the north-east corner. The external space at the front of the site would provide provision for car parking, cycle and bin storage. I am satisfied that the proposal provides sufficient amount of private amenity space to serve the proposed dwelling of this size.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12

Trees

- 8.15 The second refusal reason relates to the two trees (T2 and T3) and the extent of shading they would cast and the pressure to fell or significantly prune them from future occupants. T2 (Beech) is located 3.8 metres to the east of the application and T3 (Horse Chestnut) is located adjacent to the southern boundary and significantly overhangs the site. The applicant has met with the City Council's Tree Officer on site and whilst the applicant's tree consultant has provided minutes of the meeting which alleges that the Tree Officer was satisfied with the overall proposal in terms of the impact on the trees, I have not received confirmation from the Tree Officer. The Tree Officer has confirmed that the meeting minutes are accurate and is satisfied that the proposal can be built without materially impacting the tree roots. However, the tree officer remains of the concerns that the trees will dominate and put pressure of any future occupier to carry out significant tree works/removal.
- 8.16 In my view, whilst the adjacent trees are substantial and the shading issue is a concern, the applicant has designed the dwelling to include extensive glazing within the elevations and roofscape to ensure maximum amount of natural daylight penetrates into the dwelling to reduce the pressure to significantly prune or removal of any trees. The amenity space for the previous scheme was directly under the canopy of the adjacent Horse Chestnut tree. The private courtyard in the north-west corner would be located outside the main canopies of existing trees. This would in my view sufficiently mitigate any significant pruning or need to remove the trees. The design

incorporates angled roof form, high level and roof windows to allow daylight to filter into the internal rooms. The trees are also likely to help to regulate solar gain during summer months as the proposed dwelling would be south facing. Furthermore, the Horse Chestnut to the south is a deciduous tree and therefore in winter months when the trees are out of leaf, the impact from shading would not be as significant.

- 8.17 I have recommended tree conditions that would ensure details of protection of the existing trees during construction, details of the contractor arrangements, foundation details and an arboricultural impact assessment are provided prior to construction. In my view, I feel these conditions would offer sufficient protection to the existing trees during construction works.
- 8.18 In these terms, therefore, the proposed development is considered to be acceptable and, in my view, has sufficiently addressed the concerns/refusal reasons in the previous scheme. The proposed dwelling is of high quality design and would provide a high quality living environment for future occupants without having an adverse impact on the existing trees.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.20 The proposed dwelling due to its reduced scale and distance from the rear of no.87 (over 25 metres), will not have any significant adverse impact on the residential amenity of the existing occupiers in terms of dominance or overbearingness. The occupier of no.87 has made representations not raising any objections to the proposal.
- 8.21 In terms of the impact on no.92 Kimberley Road, I have visited their property and assessed the potential impact on their residential amenity in terms of dominance, overbearing sense of enclosure and loss of light. The proposed dwelling has been laid out so that the western wing is located on the boundary of the site. The western elevation of the wing was originally

designed as a gable end with a mono-pitched roof which slope up from north to south. The gable end would have been 5.5 metres in height and 4.9 metres wide and located 1.9 metres from the rear elevation of no.92. In the rear elevation of no.92 there is a row of high level windows across the rear elevation, a small courtyard and a small rectangular window below the row of high level of windows. I am of the view that due to the way the gable end had a mono-pitched roof, which had an eaves height of 2.7 metres (this would be below the high-level windows) and slope to a height of 5.5 metres, and only a small section of the gable would be visible or impact the high level windows in no.92 and the impact would not be significantly adverse. The roof slope would also not appear dominant from the small courtyard and would not impact the rectangular window. However, following concerns from the occupiers of no.92, I discuss the possibility of hipping the gable to match the hipped roof on the east wing in order to improve the relationship with the no.92. The applicant agreed to this and amended plans were submitted and consultations carried out.

8.22 The amended west elevation would now slope away from the rear elevation of no.92 and create a valley type opening between the existing and proposed roofs. The proposed amendment is considered to improve the relationship with the neighbouring property in terms of impact and it would be difficult to argue the proposed dwelling would now appear significantly overbearing such that it would cause an adverse sense of enclosure. I am therefore satisfied that the amended design of the proposed dwelling is acceptable in terms of impact on the residential amenity of the adjacent neighbours.

8.23 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

8.24 The proposed 2bed dwelling would provide future occupant with high quality living environment and a high standard of living accommodation.

8.25 The applicant has submitted a Shade Analysis, which demonstrate that whilst there will be some shadowing over the

plot and internal rooms, overall, the amount of shading would not be significant to have a significantly detrimental impact on the amenity of future occupiers such that it would warrant refusal. In this location, it is expected that there will be some shading due to the surrounding trees. In order to reduce the impact of shading, the design incorporates angled roof form, high level and roof windows to allow daylight to filter into the internal rooms. The trees are also likely to help to regulate solar gain during summer months as the proposed dwelling would be south facing. Furthermore, the Horse Chestnut to the south is a deciduous tree and therefore in winter months when the trees are out of leaf, the impact from shading would not be as significant.

- 8.26 The proposal includes two areas of outdoor space, the front courtyard which would host the car parking and cycle and bin storage provisions. The rear courtyard would provide the future occupiers with the main private space. This space would provide 28 sqm of usable amenity space and does not include the front courtyard. This is considered to be sufficient provision for the future occupiers.
- 8.27 In my opinion, therefore, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.28 A dedicated enclosed bin store is proposed within the front courtyard that would provide three waste receptacles. The future occupiers would need to wheel the bins to Kimberley Road for collection. The drag distance would be approx. 42 metres. Whilst this is over the 30 metres that is recommended by the RECAP Design Guide, I do not consider an extra 12 metres bin drag for this one dwelling would be unreasonable and would not in my view justify refusing the application. I am therefore satisfied that the bin storage arrangements are acceptable.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.30 The County Highway Authority has not raised any concerns with the proposal in terms of highway safety. The proposed development would be accessed off a private/shared lane which also serves Beaulands Close to the east and the boathouses to the south. Having visited the site I am satisfied that the proposed access would be acceptable to serve dwelling.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.32 The proposed Ground Floor Plan (P10-D) shows a car parked in the front courtyard. Whilst the courtyard would appear to accommodate up to two vehicles, there would not be enough space for them to turn and leave the site in forward gear. It may be possible for one to do so. Nevertheless, as the access is onto a private/shared drive and not a busy road, I do not consider the car parking provision to be unacceptable in this location.

Cycle parking

- 8.33 The proposal includes a dedicated, enclosed and secure cycle store within the front courtyard which would accommodate four cycles. I am satisfied with the proposed cycle parking arrangements.
- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.35 I set out my response to the third party representations in the below table.

Representation	Response
This application should not prejudice future application of the Cambridge Rowing Club;	Each planning application is considered on its own merits.

Impact on trees	See para 8.15 and 8.18
Impact of the trees on the proposed house through loss of light and leading to the loss of the trees	As above
Impact of traffic to the access, causing inconvenience to residents	The level of traffic that would be associated with the proposed 2 bed dwelling is unlikely to create significant inconvenience to existing residents. I have recommended conditions construction hours, contractor management plan and piling to reduce any inconvenience and nuisance cause during construction works.
Plans need clarifying as road name is marked incorrectly	Not a material planning consideration. However, comments are noted and the applicant will be advised of this.
Access to the site should be from De Freville Avenue and Beaulands Close carpark	The site is located nearer to Kimberley Road and so it would make sense for the proposed dwelling to be accessed from there. The proposal does not include access from De Frevilles Avenue and Beaulands Close is a private housing estate.
Beaulands Close is a private right of way and does not include access to De Freville Avenue	This is correct.
Impact of the proposal on the drainage system as the lower end of Kimberly Road is badly affected	The Drainage Officer has assessed the proposal and following the submission of additional information is satisfied with the proposal from a drainage perspective.
The scale and massing is overbearing and will lead to the loss of light	See para 8.9 to 8.12

Unsuitable as a back land development and is out of character	See para 8.9 to 8.12
Two storey form could add a mezzanine at a later date	The application is for a single storey 2bed dwellinghouse. Having checked the plans, if a mezzanine was added it would provide very limited space. Having discussed this with the agent, I can advise that the applicant has no intention to do this due to the lack of space.
The size of the amenity space is not acceptable	The site of the amenity space is more than that which is currently provided for at no.92. Also the Council does not have any
Rights of Way could be challenged across the access	This is a civil issue that would need to be resolved between neighbours and landowners.
Restrictions on traffic and construction activity	I have recommended conditions construction hours, contractor management plan and piling to reduce any inconvenience and nuisance cause during construction works.
There is already an hazard to the lane this will add to it	As the lane is not adopted County Highways are unable to make any comments. Also there are no policies in which the proposal could be refused on this basis.

9.0 CONCLUSION

- 9.1 The proposed subdivision of gardens to create a residential unit is considered to be acceptable in this location. The host properties would be significant distance from the site and retain a generous amount of garden space. The proposal would have no impact on the garden space as there would be no windows that would face back to the host dwellings.

- 9.2 The proposed dwelling is of contemporary design, similar to the design of no.92 Kimberley Road from which inspiration appears to have been drawn. The design of the proposed dwelling is therefore considered to be acceptable in this context and would not have a detrimental impact on the character or appearance of the Conservation Area. The scale of the development is appropriate for this site in this location and has addressed, in my view, the 1st refusal reason in the previous application.
- 9.3 Concerns have been raised regarding the potential impact on the residential amenity of the adjacent occupiers. I have carefully assessed the impact due to the proximity of development to the rear boundary of no.92. The proposal has been amended to mitigate any adverse impact. The proposal would not have any adverse impact on the residential amenity of the adjacent neighbour in terms of dominance and would not cause any adverse overlooking issues. I am satisfied that the proposed dwelling would sit comfortably with the plot without appearing unduly dominance or overbearing on the adjacent neighbours including no.87 De Freville Avenue.
- 9.4 In terms of the impact on the existing trees, I have recommended conditions which I have used in the past on similar proposal to mitigate and minimise any adverse impact the trees during and after construction.

10.0 RECOMMENDATION

APPROVE subject to the following 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 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 construction work or demolition work shall be carried out or plant 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.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted 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 details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

6. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include 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.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

10. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

11. Prior to commencement and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

12. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

13. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
- i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

14. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

15. **INFORMATIVE:** The applicant is advised that following implementation of any Permission issued by the Planning Authority in regard to this proposal, the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.