

Application Number	17/1748/FUL	Agenda Item	
Date Received	10th October 2017	Officer	Lewis Tomlinson
Target Date	5th December 2017		
Ward	Queen Ediths		
Site	45 Cavendish Avenue		
Proposal	Erection of a single storey 2 bedroom dwelling house to the rear of 45 Cavendish Avenue		
Applicant	Ms Muir 45 Cavendish Avenue		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the proposed development would not have an adverse on the character of the surrounding area; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The proposed development would not, subject to the provision of suitable mitigation to be secured by condition, have a significant adverse impact upon surface water flood risk either to the proposed property or to surrounding dwellings <p>The proposed development would provide a high quality living environment for the future occupiers;</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a semi-detached two storey property on the north side of Cavendish Avenue. To the north (rear) of the property is Magnolia Close, a small cul-de-sac of six chalet-style dwellings.
- 1.2 There are no constraints relating to the rear garden. To the front of the property, our records indicate the presence of a Tree Preservation Order (TPO). It was not apparent from the site visit that there was a significant tree in the garden, and clarification is being sought from the Council's Trees Officer as to whether this has been plotted against the application site in error.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the erection of a 2 bedroom bungalow in the rear garden of No.45 Cavendish Avenue. It would be accessed via a shared driveway with the host dwelling. It would have one off street car parking space, and would also provide cycle and bin storage within the boundary of the proposed dwelling.
- 2.2 The scheme has been amended since submission to:
- ☐ Remove the turntable
 - ☐ Raise the ground floor level 300mm above surrounding gardens
 - ☐ Submission of Flood Risk Assessment and mitigation measures
 - ☐ Submission of tree report and protection measures

3.0 SITE HISTORY

- 3.1 17/0806/FUL – Erection of two bedroom dwelling house (withdrawn).

4.0 PUBLICITY

- | | | |
|-----|------------------------|-----|
| 4.1 | Advertisement: | No |
| | Adjoining Owners: | Yes |
| | Site Notice Displayed: | No |

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3 31, 32, 33, 35, 36 50, 51, 52, 55, 56, 57, 59 70, 71 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 Object in principle to the provision of a turntable. If this is resolved, no objection subject to conditions regarding unbound material, surface water run-off, construction of access, removal of permitted development rights in relation to gates, access free

of obstruction and an informative regarding works within the highway.

Drainage Officer

Original comments

- 6.2 The proposed development is identified at high risk of surface water flooding, and nearby properties have suffered from internal flooding. Sufficient surface water drainage details proving the principle of draining the site have not been submitted. A Flood Risk Assessment to assess the potential for disposing of surface water by means of a sustainable drainage system must be provided.

Comments (dated 23/3/18) following submission of FRA

- 6.3 The FRA fails to demonstrate that acceptable mitigation measures can be delivered on the site. No details of the altered ground levels have been provided. Also, the building footprint will increase the runoff from the site. Infiltration is not an acceptable means of disposing of surface water in areas susceptible to surface water flooding, and the potential for disposing of surface water by other means must be explored.

Comments (dated 21/5/18) following further flood risk information

- 6.4 There is insufficient space available to provide compensatory flood storage, and no information has been provided to date to prove this is possible. The topographic levels, building height restrictions and space available on site suggests it is not possible to deliver this. A pumped drainage system is not a sustainable form of drainage and will increase residual flood risk.

Comments (dated 7/12/18) following further flood risk information

- 6.5 No objections subject to conditions requiring surface and foul water drainage, and flood resilient construction details.

The applicant has undertaken detailed site specific modelling to the site in question to determine the level of flood risk present. This information has concluded that the site levels fall outside of the 1 in 100 year surface water flood event plus an allowance for climate change. The parameters used for flood compensation are usually where a building resides within the 1 in 100 year flood event outline. In considering the scale of the development along with the mitigation outlined, the proposals will have a negligible impact on the surrounding areas.

The FRA still refers to the possible use of a pumped surface water drainage system which we do not consider sustainable. We recommend the applicant consults with us at the earliest opportunity at the detailed design stage to ensure that this component can be designed out. Managing rainwater as close to the surface as possible will help to minimise this risk. The use of raingardens/depressed area within the garden and aco type drains could help form part of the solution. (13th December 2018)

Set out below is further explanation as to why the original concerns have now been resolved.

Objection point 1

Firstly in relation to the main objection that had been included in all responses until 07.12.18 when I removed it. This was as a result of the site residing within the 1 in 100 year probability flood event outline for surface water – these maps are high level and therefore make assumptions, they do not include the use of site specific information such as actual ground levels. This is our trigger, as national guidance (NPPF) asks that residential development should be considered in terms of flood risk for a minimum of 100 years.

The applicant decided to undertake site specific modelling to determine the level of flood risk present, this concluded that the site falls outside of the 1 in 100 year probability flood event and therefore it would not be reasonable in planning terms to maintain our objection in relation to existing flood risk and for the developer to provide mitigation in the form of level for level flood compensation or voided buildings.

I believe where some of the confusion has come in, is that my latest comments relate to the document dated March 2018 Final v3.0 report on the front page, it might however be best if you refer to the document issue information on page 1 where it shows the audit trail to the document. To confirm my last response on 07.12.18 relates to the revisions which took place to the document on 26.11.18.

Objection point 2

The other objection previously raised on 21.05.18 was in relation to the potential that the site drainage may be pumped as this is not a sustainable solution. However on further discussion with the developers dated 07.06.18 they stated that with the lowest site levels being at 9.05m AOD and the recorded Anglian water sewer levels being in the region of 8.62m AOD a gravity connection may be possible (this was also confirmed by a check of Anglian Water records my end). Again it would be unreasonable to maintain an objection with this knowledge, hence why an informative is recommended for the detailed design stage - if the SuDS are designed as close to the surface as possible then a gravity connection should be achievable.

Environmental Health

- 6.6 No objection subject to the inclusion of conditions regarding construction hours and piling.

Landscape Officer

Original comments

- 6.7 It is not clear whether trees located along neighbouring boundaries will be affected by the proposals. A survey of the nearby trees and an impact assessment is needed to ensure the proposals do not cause harm to neighbouring trees or hedges.

Comments following submission of further details

- 6.8 No objection subject to the inclusion of conditions regarding further details on the green roof and boundary treatment.

Urban Design

- 6.9 It is considered that there are no material urban design issues with the proposals.

Streets and Open Spaces (Tree Officer)

- 6.10 Tree survey and impact assessment required.
- 6.11 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 objections:

- ☐ 2B Cavendish Avenue
- ☐ 6 Cavendish Avenue
- ☐ 42 Cavendish Avenue
- ☐ 43 Cavendish Avenue
- ☐ 46 Cavendish Avenue
- ☐ 47 Cavendish Avenue
- ☐ 49 Cavendish Avenue
- ☐ 51 Cavendish Avenue
- ☐ 53 Cavendish Avenue
- ☐ 59 Cavendish Avenue
- ☐ 66 Cavendish Avenue
- ☐ 67 Cavendish Avenue
- ☐ 70 Cavendish Avenue
- ☐ 75 Cavendish Avenue
- ☐ 77 Cavendish Avenue
- ☐ 83 Cavendish Avenue
- ☐ 3 Magnolia Close
- ☐ 4 Magnolia Close
- ☐ 5 Magnolia Close
- ☐ MTC Engineering (Flood risk consultants acting on behalf of owners of 5 Magnolia Close)
- ☐ 6 Magnolia Close
- ☐ 118 Blinco Grove
- ☐ 130 Blinco Grove
- ☐ 22 Hills Avenue
- ☐ 62 Hills Avenue

- ☐ 72 Hills Avenue
- ☐ 75 Hills Avenue
- ☐ 81 Hills Avenue
- ☐ 30a Hinton Avenue
- ☐ 59 Langham Road
- ☐ Magdalen, Brobury, Hereford

7.2 The objections can be summarised as follows:

- ☐ The backland and cramped nature of the development would be out of keeping with the character of the area
- ☐ Overdevelopment
- ☐ Contemporary design out of keeping with character of area
- ☐ Overly small gardens for existing dwelling and new dwelling
- ☐ Massing along boundaries of neighbouring properties
- ☐ Loss of green/wildlife corridor
- ☐ Overbearing impact on No.6 Magnolia Close, 43 Cavendish Avenue and 47 Cavendish Avenue
- ☐ Overshadowing of No.6 Magnolia Close's south facing living room and kitchen
- ☐ Increase noise and traffic movement to the rear of gardens
- ☐ Poor design as bedrooms 1 & 2 would receive limited day light
- ☐ Proposed dwelling would be overlooked by windows in the rear of 6 Magnolia Close.
- ☐ There are surface water flooding issues in the area – adjacent properties were recently inundated with surface water. By replacing a grassed area with development, the proposal would displace flooded surface water from the site, raising water levels and increasing the depth of flooding to adjacent properties (including those in Magnolia Close which sit in a low spot in the area). It has not been demonstrated that this can be adequately mitigated against and surface water drainage from the dwelling satisfactorily dealt with.
- ☐ The drainage solutions are inadequate.
- ☐ Concerns previously raised by the Council's Drainage Engineer to the suitability a pumped drainage system do not appear to have been resolved in the latest details
- ☐ Cars will have to reverse onto the highway
- ☐ Not enough car parking
- ☐ Not affordable housing
- ☐ Sets a precedent for future back land development
- ☐ Contrary to Policy 52 of the 2018 Local Plan

7.3 The owners/occupiers of the following addresses have made representations in support:

- ☐ 41 Cavendish Avenue
- ☐ 5 Edendale Close
- ☐ 63 Grantchester Street
- ☐ 11 Great Eastern Street
- ☐ 2 Gunhild Close
- ☐ 274 Hills Road
- ☐ 18 Hinton Avenue
- ☐ 26 Emmanuel House, Lilywhite Drive
- ☐ 223 Mill Road
- ☐ 86 Mowbray Road
- ☐ 62 Nun's Way
- ☐ 40 Rathmore Road
- ☐ 143 Ross Street
- ☐ 9 Sherlock Road
- ☐ 5 Violet Close
- ☐ 51 Manor Park, Histon, Cambridge

7.4 The letters of support can be summarised as follows:

- ☐ The proposal would provide new housing in a sustainable location
- ☐ The scheme would be of high quality design and would not harm the character of the area
- ☐ Sufficient flood risk information has been provided
- ☐ Accommodation for an ageing population

7.5 One neutral representation has been received from Camcycle:

- ☐ Following the submission of further information regarding cycle parking, pleased to see the provision of three Sheffield stands. Please ensure that the cycle parking is covered

7.6 Councillor Colin McGerty has called the application in to be considered at planning committee due to concerns about drainage and flood risk.

7.7 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. Residential amenity
4. Surface water drainage and flood risk
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Trees

Principle of Development

8.2 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.

Policy 52 Protecting garden land and the subdivision of existing dwelling plots

8.3 As the proposal is for the subdivision of an existing residential plot, policy 52 of Cambridge Local Plan (2018) is relevant in assessing the acceptability of the proposal.

8.4 Policy 52 of the Cambridge Local Plan (2018) states that: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;

- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
- e. there is no detrimental effect on the potential comprehensive development of the wider area.

8.5 I consider that the proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.

Context of site, design and external spaces

8.6 The site is located within an area that is characterised by large two storey housing. Cavendish Avenue is located to the front of the site and Magnolia Close is located to the rear of the site. Significant concerns have been raised by local residents to the impact of the development upon the character of the area. Whilst there are not any other examples of backland development in the immediate vicinity, the scheme has been amended since the previously withdrawn application to ensure the development would not be prominent in the street scene. The proposed dwelling would be single storey and sited towards the western side of the garden. The built form of No.6 Magnolia Close is sited further back than the neighbouring properties at Magnolia Close. Backland developments and outbuildings are typically single-storey and of a more domestic scale. The proposed dwelling would be of a single storey scale. I have recommended a materials condition to ensure the proposed bungalow would be of an acceptable appearance. The proposal would also include a reasonable sized amenity area and gaps around the proposed dwelling for additional soft landscaped areas.

8.7 In one of the letters of objection, reference has been made to an appeal at 83 Cavendish Avenue. Planning application ref: 12/1436/FUL was refused under delegated powers for the following three reasons:

1. The proposed development by the virtue of the limited size of the outdoor amenity space serving the proposed dwelling and its relationship with adjacent dwellings being overlooked fails to provide an adequate level of private amenity space for future occupiers. In so doing the development fails to respond positively to the site context and constraints and

would have an adverse impact on the level of amenity, which the future occupiers of 83a Cavendish Avenue could reasonably expect to enjoy. Therefore the development is contrary to Cambridge Local Plan (2006) policies 3/4, 3/10 and 3/14 and advice provided in government guidance NPPF.

2. The proposal being a full two storey height building and gable design, by virtue of the relationship of the proposed dwelling to 30a Hinton Avenue and its private amenity space, coming closer to the common boundary with 30a Hinton Avenue, would create a sense of enclosure and loss of light to the detriment of the occupiers of 30a Hinton Avenue. The proposed development would have an enclosing effect on that dwelling and its associated garden on the south side and would lead to a reduction in light to and outlook from the garden. In so doing the development fails to respond positively to the site context and constraints and would have an adverse impact on the level of amenity, which the occupiers of 30a Hinton Avenue could reasonably expect to enjoy. The development is contrary to Cambridge Local Plan (2006) policies 3/4 and 3/14 advice provided by NPPF.
3. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/7, 3/8, 3/12, 5/14 and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.

This application was dismissed at appeal (APP/Q0505/A/13/2193266) for the following reasons:

- ☐ Given its corner location, the proposed building would be prominent, and the small garden with its tight enclosure would appear both incongruous and jarring in views. As such, the character of the area would be negatively affected. (Paragraph 7 of the appeal decision)
- ☐ Both the rear and front garden would be overlooked and would fail to provide acceptable living conditions for future occupiers. (Paragraphs 12 & 13)

Neighbours consider the current proposal at No.45 to be directly comparable with the above appeal. However, the only similarity between the above application at 83 Cavendish Avenue and this application at 45 Cavendish is that both applications are proposals to subdivide plots. The proposal at 83 Cavendish Avenue sought planning permission to erect a two storey dwelling through a side extension to the existing dwelling. The proposal at 45 Cavendish is to subdivide the rear garden to erect a dwelling at the very rear of the site.

The first reason why the appeal at 83 Cavendish Avenue was dismissed was based on character grounds (albeit this wasn't one of the Council's reasons for refusal). Given the difference in the nature and siting of the proposed dwellings, this reason is not directly comparable to the proposal at 45 Cavendish Avenue. The second reason why the appeal at 83 Cavendish Avenue was dismissed was based on overlooking of the proposed garden. This was because the proposed front garden would have been 4.4m away from the first floor windows on the side elevation of 30a Hinton Avenue as well as being very visible from the road. The rear garden would have also been only 4.4m away from the first floor windows on the rear elevation of 30a Hinton Avenue, which is angled so that it directly faces the garden. In this case, the rear elevation of No.45 Cavendish Avenue is 11.9m away from the boundary of the proposed dwelling and the garden is 10m in depth. The rear courtyard area would be small and overlooked by No.6 Magnolia Close but, given the ample space to the front and that the rear courtyard is not the sole outdoor amenity space, I do not consider that the future occupiers would suffer an unacceptable level of privacy/amenity.

There has also been reference made to a dismissed appeal at 11 Golding Road. The scheme at 11 Golding Road was for two backland dwellings that were both two storey which is significantly different from the scheme proposed in this application.

- 8.8 The Urban Design Team has raised no objections to the application. The Landscape Team is supportive of the proposed works subject to conditions and I have recommended these accordingly. It is my opinion the form, height and layout of the proposed development is appropriate to the surrounding pattern

of development and the character of the area and would not constitute an overdevelopment of the site.

- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56 & 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

No.6 Magnolia Close

- 8.10 No.6 Magnolia Close's rear elevation is 3.2m away from the boundary of No.45 Cavendish Avenue which is defined by a 2m high fence. Lounge french doors and a kitchen window look onto a patio area. The boundary between No.45 & No.43 runs directly down the middle between the lounge French doors and the kitchen window. It is to be noted that No.6's main rear garden is located at the west side of the dwelling. The rear elevation of No.6 Magnolia Close would be 6.3m away from the rear elevation of the proposed dwelling and the proposed dwelling would be 3.2m away from the boundary of No.6. While part of the proposed dwelling would be hard against the boundary of No.6, this part would be adjacent to the existing garage at No.6, which is located in the south-eastern corner of their property and away from their main private amenity space.

- 8.11 The proposed dwelling would be of a single storey scale. The element nearest to the boundary of No.6 would be 2.6m in height and the highest points of the roof are located much deeper into the site and further away from the boundary of No.6. Given the distance of the built form away from the boundary of No.6 and the single storey scale of the proposed dwelling, the proposal is not considered to have a significant overbearing or overshadowing impact upon the lounge/kitchen windows or the patio area in spite of its location directly to the south of No.6..

No.43 & No.47 Cavendish Avenue

- 8.12 The proposed dwelling would be located to the rear of No.45 Cavendish Avenue. Therefore it is adjacent to the very rear of the gardens for No.43 and No.47 Cavendish Avenue and away from the main rear amenity areas of these properties. The

dwelling would be of a single storey scale and would have gaps between the built form and the boundary of both these properties. Therefore it is considered that the proposal would not have a significant overbearing or overshadowing impact upon No.43 or No.47 Cavendish Avenue.

- 8.13 I have assessed above the potential impact on the residential amenity of the surrounding occupiers in terms of overlooking, overbearing sense of enclosure and overshadowing. I am satisfied that the proposed dwelling due to its orientation, layout and distance from existing dwellings and boundaries, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.

Wider area

- 8.14 The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. I accept this advice and have recommended the conditions accordingly.
- 8.15 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 (2018) policies 35, 36, 52, 55 and 56.

Amenity for future occupiers of the site

- 8.16 Neighbours have raised concern about the quality of amenity for bedrooms 1 & 2 of the proposed dwelling. While these bedrooms are not south facing, they have adequate windows/french doors as well as roof lights and additional windows. There are two first floor windows on the south facing elevation of 6 Magnolia. The western first floor window serves a bathroom and while the eastern first floor window serves a bedroom, the views would be too oblique to cause a significant amount of overlooking. Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed unit would comply and significantly exceed the standards. In this regard, the unit would provide a high quality internal living environment for the future occupants in my opinion. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	2	4	1	70	99	+29

8.17 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. The proposed dwelling would have a south facing garden of an appropriate size for a 2 bed dwelling. It would also have an additional garden area to the rear of the site with 2 other areas of planting on the side boundaries of the proposed dwelling. The existing dwelling would also be left with an acceptable size garden. To ensure that adequate private amenity space is retained for the proposed dwelling, I recommended that permitted developments rights are removed for extensions and outbuildings.

8.18 In my opinion 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 (2018) policy 50.

Accessible homes

8.19 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Surface water drainage and flood risk

8.20 The site is identified as at high risk of surface water flooding, and nearby properties have previously experienced flooding issues. The Drainage Officer requested the submission of a flood risk assessment which was in turn submitted to the council. This failed to address the concerns raised and the objection was maintained due to concerns about how the proposed development would take up a large amount of the site, thereby displacing the surface water storage capacity of the site. Questions were raised by the Drainage Officer about whether the principle of a dwelling could be supported due to

the concerns about flood risk as it was unclear whether it would be possible to achieve a sustainable drainage feature within the site that could mitigate the impact of the development. During this process, 5 Magnolia Close appointed drainage consultants to assess the submitted flood risk assessment. This was because 5 Magnolia Close had previously experienced flooding on their property due to the ground level being lower than the surrounding area and were therefore concerned about the impact of development especially due its proposed large site area immediately adjacent to their common boundary. The drainage consultants acting on behalf of 5 Magnolia Close have disagreed with the findings of the reports submitted by the applicant and has argued that the original concerns raised by the Drainage Officer have still not been addressed.

- 8.21 Following an undertaking of a detailed site specific modelling to the site, and the exploration of other mitigation measures, it was concluded that the proposals would have a negligible impact on the surrounding areas. Following the submission of this additional information regarding flood risk and drainage, the Drainage Officer has removed the objection. The drainage consultants acting on behalf of 5 Magnolia Close maintain their concern that the original concerns have not been overcome. It is the Drainage Officer's opinion that a pumped system for this scale of development would not be considered sustainable and therefore would be inappropriate. However, upon further investigation into SUD's guidance and being mindful of local and national planning policy, a pumped system is acceptable when it is the only solution available. Achieving a gravity fed system should be the first course of action and clear justification backed up by an investigation should be provided if a gravity fed system cannot be achieved. A surface water drainage strategy condition is recommended in line with this. Foul water drainage and flood resilient/resistant construction conditions are also recommended. In my opinion, the proposal is compliant with the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

Refuse Arrangements

- 8.22 A bin store is proposed within the site which would provide adequate waste storage. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.23 Following the removal of the turntable, the Highway Authority does not consider there would be any adverse impact upon highway safety subject to the imposition of various conditions. I have not recommended conditions relating to the driveway given that this is an existing drive but I have recommended a condition to secure adequate space at the front of the site to allow a car to exit and enter the site in forward gear. A traffic management plan is also recommended given the backland nature of the development. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

Car Parking

- 8.24 The proposal includes 1 car parking space each for the proposed and existing dwelling. This complies with the maximum standards in the Cambridge Local Plan (2018) which seek 1 car parking space for dwellings with up to 2 bedrooms and 2 car parking spaces for dwellings with 3 or more bedrooms. The car parking spaces have been laid out to ensure they are accessible and to enable a parked car to leave the site in forward gear. There was previously a garage to the rear of 45 Cavendish Avenue and a driveway leading to it. There is a driveway leading to a garage at the adjacent property No.47. The proposed car parking would not go further than this garage at No.47 and would only be for one car. Therefore the proposed car parking arrangements and additional noise would not have a significant impact upon either the adjacent property at No.47 or the host dwelling at No.45.

Cycle Parking

- 8.25 The proposal includes cycle parking within the site. I have recommended a condition requesting further details of cycle storage to be submitted.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Trees

- 8.27 To the front of the property, our records indicate the presence of a Tree Preservation Order (TPO). It was not apparent from the site visit that there was a significant tree in the garden, and clarification is being sought from the Council's Trees Officer as to whether this has been plotted against the application site in error. An update will be provided on the amendment sheet.

9.0 CONCLUSION

- 9.1 In my opinion, the proposed development would not amount to overdevelopment of the site nor would it have an adverse impact upon the area, the neighbouring properties or the future occupants of the development. The proposed development would also not, subject to the provision of suitable mitigation to be secured by condition, have a significant adverse impact upon surface water flood risk either to the proposed property or to surrounding dwellings

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 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 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 2018 policy 35)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35)

5. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

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

6. The dwelling hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before the dwelling is occupied.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policies 52, 55, 56, and 82)

7. Notwithstanding the approved plans, the building, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

8. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

9. Prior to the occupation of the development, hereby permitted, the curtilages of the approved dwelling shall be fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

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

10. No development hereby permitted shall commence until a surface water drainage strategy has been submitted to and approved in writing by the local planning authority. This must include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance. The assessment for the design of the drainage system must provide information on achieving a gravity fed system as a first course of action, the results of which shall be submitted to and approved in writing by the local planning authority prior to any further investigation relating to a pumped solution should this prove to be necessary. The system shall be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

- provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed detail and management and maintenance plan.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

11. No development hereby permitted shall be commenced until foul water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, they should also be submitted to Anglian Water and their written acceptance of the scheme submitted to the local planning authority.

Reason: To ensure appropriate foul water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

12. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 policies 31 and 32)

13. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 policies 31 and 32)

14. Prior to occupation of the dwelling, hereby approved, the turning head at the front of 45 Cavendish as shown on drawing 168.160revP4 shall be fully laid out and installed. The development shall be retained as such thereafter.

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

15. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the chalet bungalow hereby permitted have been submitted to and approved in writing by the local planning authority. Development of the chalet bungalow 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 2018 policies 52, 55, and 57)

16. No development above ground level, other than demolition, shall commence until full details of green and brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The roofs shall be maintained thereafter in accordance with the approved details.

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 2018 policies 55, 57 and 59)

17. For the hereby approved dwelling, notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouse, including insertion of new windows; loft conversion including rear dormers; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.