



Planning Committee Date	6 th September 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/01039/FUL
Site	45 Highworth Avenue
Ward / Parish	West Chesterton
Proposal	Residential redevelopment comprising two detached dwellings to the rear with garages on the site frontage along with cycle parking and associated infrastructure following demolition of existing buildings on site. Resubmission of 22/05407/FUL
Applicant	Dyason Developments Ltd
Presenting Officer	Nick Yager (Standing in for Dean Scrivener)
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Design/Visual impact2. Neighbour Amenity3. Car and cycle parking/access4. Biodiversity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application is for full planning permission for the erection of two dwellings to the rear of the site, with garages and cycle parking set to the front, following demolition of the existing buildings.
- 1.2 This is a resubmission of a previous application which was refused at Planning Committee on the 1st September 2021 (21/01476/FUL). The reasons for refusal referred to; the massing and scale of development, overbearing impact upon neighbouring properties, noise and disturbance generated by vehicular movements and the failure to demonstrate a biodiversity net gain on the site.
- 1.3 The decision was appealed by the applicant, which was dismissed on grounds of noise and disturbance generated by vehicles entering and exiting the site, causing harm upon the amenities of neighbouring properties (APP/Q0505/W/21/3289046). None of the other reasons for refusal were upheld by the inspector. A copy of this appeal decision in Appendix 1 of this report.
- 1.4 As such, the current application to be presented at this Planning Committee is a resubmission of the previous refused application, which has been revised to address the dismissed appeal. The main amendments are the removal of car parking from within the site, to the front of the site, in response to the appeal decision. As such, the application no longer proposes a dwelling to the front of the site. Garages are now proposed to the front.
- 1.5 The applicant has submitted additional information in the way of a Biodiversity Net Gain Report and supplementary biodiversity data. Also, a cross section drawing has been provided with amendments to the car parking spaces, to provide more space around the spaces. A re-consultation period has been undertaken on these amendments.
- 1.6 Officers recommend that the Planning Committee approve the application, subject to the recommended conditions listed below.

2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1 (low flood risk)	
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 application site comprises of a 'T' shape with a bungalow and garages set back from the road and behind the building line. The bungalow sits within the main spine of the 'T' shaped site. The site also sits directly behind No.43's and No.47's gardens in a rectangular area of land.
- 2.2 To the north/north-east/east is Highworth Avenue, especially no's 43, 47 and 51 Highworth Avenue. To the west/south-west is Hurst Park Avenue. The site is surrounded by residential properties and their verdant spacious green gardens.

3.0 The Proposal

- 3.1 This application is for full planning permission for the erection of two dwellings to the rear of the site, with garages and cycle parking set to the front, following demolition of the existing buildings.
- 3.2 A previous application (21/01476/FUL) for residential development, which was for two detached dwellings properties at the rear and one detached dwelling at the entrance of the site, with car and cycle parking, was refused by the Planning Committee on the 1st September 2021 for the following reasons:
- 1) *'The proposed scale, bulk and form of the dwellings at the rear of the site would appear as inappropriate back-land development, starkly out of keeping with the verdant rear garden environment in which the properties would be located and particularly when viewed from Highworth Avenue down the long driveway. The proposal would be out of keeping with the character of the surrounding area contrary to Policies 52, 55 and 57 of the Cambridge Local Plan 2018.'*
 - 2) *'No.51's garden is sited immediately adjacent to the north-west rear boundary of the site and plot 2. The excessive length, height, form and bulk of the north west facing elevation and its return would result in a significant overbearing impact upon the rear garden of No.51 Highworth Avenue contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'*
 - 3) *'The rear dwellings plots 1 and 2 would be sited directly and in close proximity to the rear of the gardens of No.43 and 47 Highworth Avenue. Due to the limited gap between these properties and the proposed dwellings, and by virtue of the proposed scale, bulk and form of the dwellings, the proposal would result in an unacceptable sense of overbearing upon the rear gardens of No.43 and 47 Highworth Avenue'*

contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'

- 4) *'The proposal would introduce additional vehicular movements into an otherwise peaceful rear garden environment generating additional noise and disturbance impacts to neighbouring properties contrary to Policies 35, 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'*
- 5) *'The application has failed to demonstrate that the proposal would not result in a net loss of biodiversity or that through mitigation, no net loss or net gain is possible when taking into account the recent loss of the mature trees on the site. As such, the proposal is contrary to policy 70 of the Cambridge Local Plan 2018 and NPPF 2021 guidance, paragraph 180.'*

3.3 Following the appeal decision (APP/Q0505/W/21/3289046) which was dismissed on reason for refusal 4 (RFR4) only, the current application is a resubmission of this previously refused scheme. The main amendments are the relocation of car parking from within the site, to the frontage of the site, and the removal of the dwelling which was previously located at the frontage of the site. The proposed dwellings have a larger footprint but are set within the same locations as the previous application.

4.0 Relevant Site History

Reference	Description	Outcome
19/1408/FUL	Residential redevelopment comprising three link detached dwellings to the rear and one detached dwelling on the site frontage along with car and cycle parking and associated infrastructure following demolition of existing building on the site.	Refused
21/01476/FUL	Residential redevelopment comprising two detached dwellings to the rear and one detached dwelling on the site frontage along with car and cycle parking and associated infrastructure following demolition of existing buildings on site.	Refused
APP/Q0505/W/21/3289046	Appeal decision of refused application 21/01476/FUL	Dismissed

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of Cambridge's historic environment

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Cycle Parking Guide for New Residential Developments (2010)

Cambridge On-Street Residential Parking Study (2016)

6.0 **Consultations**

6.1 **County Highways Development Management**

6.2 No objections subject to conditions regarding the construction of the access, a contractors parking plan and visibility splays.

6.3 **Sustainable Drainage Officer**

6.4 No objections subject to conditions regarding a surface water drainage scheme and a foul water drainage scheme.

6.5 **Trees Officer**

6.6 No comments received (out of time)

6.7 **Environmental Health**

6.8 No objections subject to conditions regarding a time restriction on construction hours and deliveries, dust mitigation and piling methods adopted.

6.9 **Ecology Officer**

6.10 No objections however has requested a scheme for the provision of a Preliminary Ecology Appraisal (PEA) to be submitted to establish which DEFRA Metric was used to inform the BNG proposed on site.

6.11 **Archaeology Officer**

6.12 No objections subject to a pre commencement condition requesting a Written Scheme of Investigation.

7.0 Third Party Representations

7.1 A total of 82 objections have been received. Their comments are summarised below:

- Character, appearance and scale not in keeping with character of the area
- Inappropriate design within the locality
- The proposed dwellings are larger in size when compared to previous application
- Risk of setting a precedent for future back land development in local area
- Private housing is not required, affordable housing should be prioritised
- Overdevelopment
- Increases particulates and nitrogen dioxide emissions
- Residential amenity impact (impacts on privacy, overbearing, noise and disturbance, overlooking)
- Garages will be used for storage purposes and/or even private business/commercial use which would result in amenity impact
- Garages are not well designed and would be an eyesore within street scene, especially as they sit forwards of the existing building line. They are out of keeping with the existing development along Highworth Avenue
- The proposal does not overcome the inspector's decision regarding noise and disturbance
- The inclusion of fireplaces still remains an issue
- Construction Impact
- Highway safety
- Pedestrian/Cyclist safety
- Increased car parking competition
- Proposed landscaping would affect cars being able to park
- Car parking will be an issue on Highworth Avenue due to the narrow nature of the road, especially with delivery vehicles blocking access
- Future occupants will need to walk a larger distance from the access to the dwellings/taking bins out
- Emergency vehicle access will be an issue
- Cycle parking provision
- Loss of biodiversity
- Loss of trees
- Loss of garden/openness
- Lack of landscaping details
- Occupancy restriction
- Flood risk
- Light pollution
- Proposed conifer/hedgerows having an impact upon the neighbouring property
- Bin storage – it is unclear which bins are to serve the proposed dwelling
- Plans are not to scale and have inaccurate labelling
- Could be used for Buy to Let or Air BnB uses
- The land has historic value and the development would lose this right of way which used to be located at the rear of the site

-The proposal is not in accordance with the existing Building Plan which was established when the properties along Highworth Avenue was constructed

7.2 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.

8.0 Assessment

8.1 Principle of Development

8.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.3 Policy 52 of the Cambridge Local Plan 2018 states that development in the rear gardens where it meets the criteria of the policy will be supported.

8.4 Most of the representations received have raised concerns that the proposal does not accord with Policy 52 and that the redevelopment of existing garden land would result in a visual impact upon the character and appearance of the local area, as well as set a precedent for future back land development within the locality.

8.5 Reason for refusal 1 (RFR1) of the previous application read as follows:

'The proposed scale, bulk and form of the dwellings at the rear of the site would appear as inappropriate back-land development, starkly out of keeping with the verdant rear garden environment in which the properties would be located and particularly when viewed from Highworth Avenue down the long driveway. The proposal would be out of keeping with the character of the surrounding area contrary to Policies 52, 55 and 57 of the Cambridge Local Plan 2018.'

8.6 The appeal decision did not uphold RFR1 and this is a material planning consideration which must be taken into account when assessing the current application against Policy 52.

8.7 At present, the site is occupied by a sizeable bungalow which is set further back than the existing building line. Although, the height of this bungalow is lower than the proposed dwellings, its roof pitch can be seen from Highworth Avenue at present, above the existing garage set to the front of the site. As such, there is an element of back land development which already exists on this site.

- 8.8 Due to their back land setting and being set further within the site and out of any prominent views from Highworth Avenue, the proposed dwellings are not considered to result in any visual impact upon the character and appearance of the local area. In support of this view, the inspector's decision states under paragraph 12 of the appeal decision; '*Whilst the proposal would result in two dwellings behind the line of development, they would be set further back than the existing dwelling, reducing their prominence*'.
- 8.9 Furthermore, the dwellings would comprise a monopitch style roof form, which helps mitigate any visual impact of the dwellings and reduce their overall massing. Both dwellings would be located within the rear of the site and comprise a similar height as the previous scheme. It is noted that the inspector does state that the previously proposed dwelling to the front of the site (plot 3), would provide screening of plots 1 and 2 at the rear. Despite this, the current application proposes two garages which would sit higher than the existing garage, and therefore there would an element of screening would still be provided, which would limit views of the proposed dwellings behind.
- 8.10 There are concerns raised amongst the representations received, in regard as to how the proposal does not accord with Policy 52 and that should the proposal be approved, then a precedent would be set for future back land development within the locality.
- 8.11 Policy 52 sets a number of criteria for which development must accord with. These criteria will be referred to throughout this report as each criterion refers to specific planning considerations. In terms of principle of development, it is considered that the site is more than capable of accommodating the two dwellings which are of an appropriate height and layout and would not interfere with the prevailing character of the area. These views are further supported by the inspector.
- 8.12 In terms of setting a precedent, every application is assessed against its own merits and existing site constraints. In this instance, the proposal would deliver two residential dwellings there are no existing site constraints which would prevent the development.
- 8.13 Given the reasons laid out within the appeal decision and the similarities between the previous application and the current scheme, with regards to the layout, height, form and siting, the principle of back land development on this site is considered to be acceptable and is in accordance with policies 3 and 52 of the Cambridge Local Plan 2018, subject to the below considerations.
- 8.14 **Context of Site, Design and External Spaces**

- 8.15 Policies 55, 56, 57, and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 8.16 Highworth Avenue is characterised by two storey dwellings that are either detached or semi-detached with driveways in front for the parking of vehicles. Officers consider there is not a strong uniform character along Highworth Avenue in terms of building design, other than the buildings comprising traditional details such as bay windows and brick materials.

Proposed Dwellings

- 8.17 The proposed dwellings would measure 7m in height (including chimney), 12.5m in width and 21m in depth. It is acknowledged that the dwellings would contain a larger footprint when compared to the previous scheme however this increase in footprint would be restricted to ground floor level. The first floor level remains the same as the previous scheme and therefore Officers consider that this increase would be concealed from views into and out of the site, limiting any visual impact of the proposal upon the surrounding area.
- 8.18 Moreover, the dwellings would comprise a monopitch roof form which would lessen the overall height of the dwellings, and thus their visibility within the locality would be lessened. It is acknowledged that the chimneys and the ridge of the monopitches would be visible from Highworth Avenue above the proposed garages, however their prominence would not be overly excessive to result in significant visual harm to warrant a refusal on these grounds.
- 8.19 Despite the contemporary design which is not evident at neighbouring properties along Highworth Avenue, their set back location would not result in the development being overly prominent and thus any significant visual harm upon the character and appearance of the local area would be limited. Details of materials will be secured via a condition.
- 8.20 The appeal decision does not refer directly to the proposed design and appearance of the proposed dwellings. As such, it is considered that the inspector did not consider that the design, form and appearance of the two plots proposed to the rear of the site (the same two as proposed here), would impose a form of development which would be significantly discordant with the prevailing character of the area to result in harm.

Garages

- 8.21 As mentioned above, the previous scheme proposed a third dwelling (plot 3) to the front of the site. Under the current scheme, this dwelling has

been removed and replaced with two garages which serve the two dwellings to the rear.

- 8.22 The appeal decision refers to the previously proposed dwelling as comprising a traditional design which is sympathetic to the character of the area. The proposed garages would comprise a height of 5.5m in height, 7.6m in width and 8.8m in depth. These proportions are less than those of the previously proposed dwelling, which was deemed acceptable and as such, the proposed scale of the garages is considered to be acceptable.
- 8.23 Moreover, the proposed garages are considered to resemble a more traditional design and appearance, with brick and timber cladding materials, which are in keeping with the character and appearance of the neighbouring dwellings along Highworth Avenue.

Landscaping

- 8.24 The existing site is laid out as a garden area with mature vegetation, trees and garden buildings. As part of the proposed development, new trees and soft landscaping is to be incorporated within the site, with footpaths laid in between connecting the dwellings to the garages. The layout of the development is suitable for the area and would be appropriate. Conditions are recommended to secure the detail of the soft and hard landscaping, and to ensure their retention.
- 8.25 There is a concern raised by a neighbouring property in relation to the proposed trees/hedgerows having an impact upon the neighbouring properties. As clearly illustrated on the proposed site plan, the proposed tree positions are located as such that would be inset from the boundaries with neighbouring properties. The conditions as aforementioned shall secure these details and Officers will be able to ensure that all soft landscaping is kept within the boundaries of the site.

Conclusion

- 8.26 Overall, after considering the appeal decision and subject to conditions requesting material and landscaping details, the proposed development is a high-quality design that would not result in significant visual harm upon the character and appearance of the local area and be compatible to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59 and the NPPF.
- 8.27 **Carbon Reduction and Sustainable Design**
- 8.28 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 8.29 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 8.30 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 8.31 Conditions are recommended which require submission of a Carbon Reduction Statement to meet part L of Building Regulations, and water efficiency specification, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations.
- 8.32 In addition, an informative shall be attached to ensure the development complies with Part O and F of the Building Regulations, in respect of energy efficiency.
- 8.33 Subject to the above conditions, the issue of sustainability and renewable energy and the proposal is in accordance with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 8.34 **Biodiversity**
- 8.35 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 8.36 Reason for reason 5 (RFR5) of the previous scheme was refused on the following grounds:
- 'The application has failed to demonstrate that the proposal would not result in a net loss of biodiversity or that through mitigation, no net loss or net gain is possible when taking into account the recent loss of the mature trees on the site. As such, the proposal is contrary to policy 70 of the Cambridge Local Plan 2018 and NPPF 2021 guidance, paragraph 180.'*

- 8.37 Under paragraph 15 of the appeal decision, the inspector considers the site to have a small contribution to biodiversity of the surrounding area, given its small scale, and as such does not consider this small contribution to be irreplaceable. Consequently, the inspector does not uphold RFR5 in the appeal decision and concludes that suitably worded conditions would be sufficient to ensure the development provides ecological enhancements on site, under paragraph 16.
- 8.38 As recommended before, conditions requesting ecological enhancements to be integrated within the design and development of the site, as well as the submission of details demonstrating a Biodiversity Net Gain are recommended, in accordance with the Local Plan and the Biodiversity SPD.
- 8.39 The applicant has submitted a Biodiversity Net Gain (BNG) Report and a supplementary data spreadsheet, which summarises the main findings of the report. There are concerns raised amongst the representations received, in relation to the clearance of the site and that the proposed BNG does not account for this, suggesting the baseline used in the BNG report is not accurate.
- 8.40 The Ecology Officer has been consulted on the application and has requested that an updated Preliminary Ecology Appraisal (PEA) is submitted to determine which DEFRA Metric was adopted to establish the BNG being proposed. The applicant has submitted an updated PEA with the current application and an updated BNG Report, which concludes that an on site BNG can be achieved.
- 8.41 Given the concerns raised regarding the BNG results, Officers have discussed these updated reports with the Ecology Officer and it is considered that the site conditions are unlikely to have changed significantly since the appeal decision of last July, and therefore Officers consider the BNG report to be valid and that a BNG on site can be achieved. It is only essential for all developments to demonstrate a BNG can be achieved on site, no matter how small the gain is. Therefore, in this instance, in addition to the Inspector's commentary at appeal, Officers consider the development can achieve a BNG on site and that suitably worded conditions will be recommended to ensure this.
- 8.42 In the view of Officers, the development is therefore considered to be acceptable in biodiversity terms, subject to the aforementioned conditions.
- 8.43 In addition, a green roof condition is recommended to secure the flat roof elements of the proposed dwellings are provided with green roofs, which would further promote biodiversity on site.

8.44 Subject to the above conditions, Officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species, and would achieve a biodiversity net gain on site. Taking the above into account, the proposal is compliant with policies 57 and 70 of the Cambridge Local Plan (2018).

8.45 **Water Management and Flood Risk**

8.46 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

8.47 The Council's Sustainable Drainage Engineer has not raised any objections, subject to conditions requesting a surface water drainage and foul water drainage schemes, to ensure that the development does not result in any flooding upon neighbouring sites. These conditions are recommended and are considered necessary and reasonable.

8.48 Subject to the above conditions addressing the issues of water management and flood risk, the proposal is in accordance with Local Plan policies 31 and 32 and the NPPF advice.

8.49 **Highway Safety and Transport Impacts**

8.50 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

8.51 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.

8.52 The Local Highway Authority has raised no objection to the proposals on the grounds of highway safety, subject to conditions regarding the details of the access for construction, a contractors parking plan, visibility splays and for the access to be constructed of a bound material and the falls and levels to be constructed to prevent private water from draining across the site or onto the adopted highway. These conditions are considered to be necessary and reasonable and are recommended. Therefore, on that basis it is considered that the application is acceptable on this matter.

8.53 Subject to the above conditions, the proposal accords with the objectives of Policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.54 **Cycle and Car Parking Provision**

Cycle Parking

- 8.55 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. Above 3 bedrooms, 3 spaces should be provided for 4 bedrooms, 4 spaces for 5 bedrooms and so on. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 8.56 The application proposes cycle parking near to the front of the site, directly behind the garages. Despite these are not located directly to the front of the site, Officers consider their location to be set close enough to the front of the site to enable easy access for future occupiers to use. Each set of cycle parking would accommodate 3 spaces for each dwelling, which is in accordance with the standards set out within Appendix L. Officers consider a condition requesting details of the cycle store is reasonable and necessary, to ensure the cycle are provided within a secure enclosure.
- 8.57 Subject to the condition, the application is in accordance with Policy 82 of the Cambridge Local Plan (2018) and the cycle parking standards as set out within appendix L.

Car Parking

- 8.58 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. The site falls outside of any designated Controlled Parking Zone, where the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 8.59 It is noted that the number of car parking spaces proposed has decreased and changed location when compared to the previous scheme. This is in response to reason for refusal 4 (RFR4), and the inspector's decision to uphold this reason at appeal. This will be discussed in further detail below within the Amenity Section.

- 8.60 Residents have raised concerns about parking stress in the surrounding streets and especially on Highworth Avenue. Officers note these concerns however the vast majority of properties along Highworth Avenue have off-street car parking in the form of driveways set to their frontages and therefore the proposed layout with two car parking spaces set to the front of the site, is considered to be in keeping with the area and would alleviate the pressure of on street car parking and is acceptable.
- 8.61 The Site Plan has been amended during the application, which has resulted in a slight change to the car parking arrangements to the front of the site, to allow sufficient space around the spaces to allow future occupiers to pass by and manoeuvre bicycles. Despite this, one car parking space is provided for each dwelling, which are to be located directly to the front of the site, and therefore the proposal is considered to accord with policy 82 of the Local Plan and the standards set out under Appendix L.
- 8.62 **Amenity**
- 8.63 Policy 35, 50, 52, and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

Impact upon Neighbouring Properties

- 8.64 The site is bound by neighbouring gardens on all four sides. To the north/north-east/east is Highworth Avenue, especially no's 43, 47 and 51. To the west/south-west is Hurst Park Avenue. There is a number of objections raised amongst the representations, in respect of the impact upon the amenities of the neighbouring properties.
- 8.65 The previous application was refused on grounds of neighbour amenity impact. This report will discuss these in turn, as they refer to different neighbouring properties.
- 8.66 Firstly, it should be noted that the inspector did not uphold either of these reasons for refusal under the appeal decision and refers to the generous garden spaces which serve the neighbouring properties. Under paragraph 6 of the appeal decision, the inspector states that due to the '*low slung roofs and roof pitches which would slope away from the side boundaries of the site, I find that the two dwellings would not appear as intrusive or dominant features*'. The inspector also refers to the vast distances between the siting of the proposed dwellings in relation to the neighbouring properties, which would '*limit the visual effect of these dwellings with regard to outlook and overbearing impact*'.

Reason for Refusal 2 (RFR2) – Impact upon No. 51 Highworth Avenue

8.67 Reason for refusal 2 (RFR2) of the previous application was refused on grounds of overbearing impact upon No. 51 Highworth Avenue. This read as follows:

'No.51's garden is sited immediately adjacent to the north-west rear boundary of the site and plot 2. The excessive length, height, form and bulk of the north west facing elevation and its return would result in a significant overbearing impact upon the rear garden of No.51 Highworth Avenue contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'

8.68 No. 51 is located is located to the north east of the site, just offset with the proposed dwelling on Plot 2. This neighbouring property is set 18m away from plot 2, which is considered to be a significant distance away to not result in any significant overbearing or sense of enclosure. This is supported by the inspector's views which are provided above, and although the proposed dwellings would incorporate a slightly larger footprint at ground level, the height of the extended section of footprint is 3m in height and would therefore not result in a significantly harmful level of overbearing impact upon this neighbouring property to warrant refusal on these grounds.

8.69 As such, in light of the appeal decision and that the height of the proposed dwellings has not changed, Officers consider that the current proposal is acceptable in terms of overbearing impact.

8.70 Moreover, in respect of No. 51, given the separation distance, no significant overshadowing or overlooking impact would arise upon this neighbouring property.

Reason for Refusal 3 (RFR3) – Impact upon Nos. 43 and 47 Highworth Avenue

8.71 Reason for refusal 3 (RFR3) of the previous application was refused on grounds of overbearing impact upon Nos. 43 and 47 Highworth Avenue. This read as follows:

'The rear dwellings plots 1 and 2 would be sited directly and in close proximity to the rear of the gardens of No.43 and 47 Highworth Avenue. Due to the limited gap between these properties and the proposed dwellings, and by virtue of the proposed scale, bulk and form of the dwellings, the proposal would result in an unacceptable sense of overbearing upon the rear gardens of No.43 and 47 Highworth Avenue contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'

- 8.72 As before, the inspector did not uphold RFR3 within the appeal decision for the same reasons as aforementioned above, in relation to the distances between the proposed dwellings and the neighbouring properties.
- 8.73 No. 47 Highworth Avenue is set directly in line with plot 2 and is 26m away from the proposed dwelling. Officers consider this to be a significant distance away to not result in any significantly harmful overbearing impact upon this neighbouring dwelling, especially given the spacious rear garden serving it.
- 8.74 Similarly, No. 43 Highworth Avenue is set directly in line with plot 1 and is 26m away from the proposed dwelling. Again, Officers consider this to be a significant distance away to not result in any significantly harmful overbearing impact upon this neighbouring dwelling, especially given the spacious rear garden serving it.
- 8.75 As such, in light of the appeal decision and that the height of the proposed dwellings has not changed, Officers consider that the current proposal is acceptable in terms of overbearing impact.
- 8.76 Moreover, given the separation distances between the proposed dwellings and these two neighbouring properties, no significant overshadowing or overlooking impact would arise upon either property.

Other Considerations

- 8.77 In response to concerns regarding overshadowing and loss of light, the previous scheme was not refused on these grounds, nor was it considered at appeal.
- 8.78 Given the relatively low height of the proposed dwellings and separation distances between them and the neighbouring properties, Officers consider that no significant overshadowing impact would arise upon the surrounding neighbouring properties and is acceptable.
- 8.79 As for overlooking and safeguarding privacy of the neighbouring properties, the previous scheme was not refused on these grounds and nor was it considered at appeal.
- 8.80 There are first floor windows set within the side roof slopes of the proposed dwellings however given the angle at which these windows would be set in relation to the neighbouring properties, as well as the separation distances, Officers consider that no direct, nor significantly harmful overlooking impact, would arise in this instance.

- 8.81 There is a window set within the front elevations of the dwellings however these would serve a hallway which is not considered as a habitable space, thus no significantly harmful overlooking impact is considered to arise.
- 8.82 There are concerns raised amongst the representations received, which relate to the change of use of the garages and the potential of these to be used for commercial purposes. Officers consider a condition to restrict the use of the garages so that they remain incidental to the main dwelling house is reasonable in this instance, to safeguard the amenities of neighbouring properties.
- 8.83 Lastly, given the location of the proposed dwellings, Officers consider it reasonable to remove permitted development rights under Class A, B, C and E of the GPDO 2015 (as amended), to have control over any future extension or addition to the dwellings and safeguard the amenities of the neighbouring properties.

Conclusion

- 8.84 Overall, in light of the appeal decision and the similarities between the current scheme and the previously refused scheme, and subject to the above conditions, the proposed dwellings would not result in any significantly harmful impact upon the amenities of neighbouring properties in respect of overbearing, overlooking or overshadowing impacts. As such, the proposed development would comply with Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.

Future Occupants

- 8.85 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.86 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	4	7	2	115	238	+123
2	4	7	2	115	238	+123

- 8.87 As illustrated in the above table, the proposal would comply with Nationally Described Space Standards and is in compliance with Policy 50 of the Cambridge Local Plan 2018.

Garden Size

- 8.88 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 8.89 A sizeable rear garden area would serve each of the proposed dwellings and provide a good level of external amenity space for future occupiers to enjoy.

Accessibility

- 8.90 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings.
- 8.91 Officers consider that the layout and configuration enables inclusive access and future proofing. A condition is recommended to ensure the dwelling is constructed to comply with Building Regulations requirement M4 (2), in accordance with Policy 51 of the Cambridge Local Plan 2018.

Noise Impact

- 8.92 Policy 35 of the Cambridge Local Plan 2018 safeguards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 8.93 Reason for refusal 4 (RFR4) of the previous application referred to noise impact generated from car movements into and out of the site. This read as follows:

'The proposal would introduce additional vehicular movements into an otherwise peaceful rear garden environment generating additional noise and disturbance impacts to neighbouring properties contrary to Policies 35, 52, 55, 56 and 57 of the Cambridge Local Plan 2018.'

- 8.94 The inspector upheld RFR4 within their appeal decision and dismissed the appeal on these grounds alone. The inspector refers to the noise and disturbance impacting upon the amenities of the future occupiers and the existing occupiers, namely No. 47 Highworth Avenue. Under paragraph 7, the inspector refers to how the previous scheme would have introduced a significant noise impact upon an existing area which is '*peaceful by nature*'. They also refer to the noise generated by closing of doors and boots, which would further exacerbate the issue.

- 8.95 The current scheme has removed all car parking from within the site, with two car parking spaces now being proposed to the front of the site. Due to the siting of the proposed garages, no vehicles will be entering the site and will therefore be restricted to the car parking spaces provided. As such, Officers consider the current scheme has overcome RFR4 and addresses the inspector's concerns in respect of noise generated from car movements.
- 8.96 The Council's Environmental Health Team has been consulted and has raised no objections subject to conditions relating to demolition/construction hours, piling, demolition and construction collection, delivery hours and mitigation of airborne dust. These conditions are recommended by Officers to safeguard the amenities of neighbouring properties.
- 8.97 Overall, it is considered that for the above reasons, and subject to the above conditions, the proposed development would not result in any significant noise impact or disturbance upon the amenities of the neighbouring properties. As such, the proposal is in accordance with Policy 35 of the Cambridge Local Plan 2018.

8.98 **Third Party Representations**

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

Third Party Comment	Officer Response
Private housing is not required, affordable housing should be prioritised	Given the application proposes two dwellings, it would be unreasonable for the LPA to refuse the application on the grounds of type of housing to be sold on the housing market
Increases particulates and nitrogen dioxide emissions	This is an application for two residential dwellings which are not considered to result in nitrogen dioxide emissions and as such, it would be unreasonable for the LPA to refuse the application on these grounds.
The inclusion of fireplaces still remains an issue	The inclusion of fireplaces is not a material planning consideration and therefore it would be unreasonable for the LPA to refuse the application on these grounds
Future occupants will need to walk a long distance from the access to the dwellings/taking bins out	The distance between the dwellings and the garages, as well as between the bins and the road, are acceptable and it would not be reasonable to refuse the application on these grounds.

Lack of emergency vehicle access, i.e fire engines	The distance between the dwellings and the road is an acceptable distance which complies with the minimum as stated within Volume 1 of Approved Document Part B of Building Regulations
There should be a condition to restrict the number of occupants on the site	The proposed plans illustrate that the dwellings would accommodate 4 bedroom, 7 persons. As such, the LPA considers that a condition to restrict the occupancy of the dwellings is not required, nor necessary in this instance.
The development would introduce light pollution within the area	The Environmental Health Officer has been consulted on the application and has considered the impacts of the development upon the amenities of neighbouring properties, in respect of light, noise and pollution. No objections have been raised subject to certain conditions in respect of noise and airborne dust mitigation.
Inaccurate plans/drawings not to scale	The application contains a set of plans which each have a scale on them which are easily legible. Officers have assessed the application against each of the relevant local and national policies, as well other material planning considerations.
The properties could be used for Buy to Let or AirBnB use	Neither of these points constitute material planning considerations. The LPA has no control over whether the future occupiers decide to let the properties out, or the future management of the properties. In addition, the LPA cannot restrict the properties being used as an AirBnB use, and it would be unreasonable for the LPA to restrict this.
The land has historic value and the development would lose this right of way which used to located at the rear of the site	No conclusive evidence has been put to the LPA to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served.
Covenants	A planning permission would not override covenants and private rights. These are civil matters between different landowners and not a material planning consideration.

8.100 Other Matters

- 8.101 The Archaeology Team have been consulted on the application and have raised no objections, subject to a pre commencement condition requesting that a Written Scheme of Investigation is submitted. Records indicate that the site lies in an area of archaeological potential, close to a number of

previous archaeological investigations and therefore this condition is recommended, in order to preserve archaeological artefacts, in accordance with Policy 61 of the Cambridge Local Plan 2018.

8.102 There is a comment referring to insufficient details regarding the refuse storage to serve the dwellings. The Site Plan shows that three bins will be located near to the front of the site however no details of the bins store have been provided. As such, Officers consider a condition is sufficient to secure these details prior to occupation, to ensure there are sufficient refuse stores provided to serve the dwellings, in accordance with Policy 57 of the Cambridge Local Plan 2018.

8.103 **Planning Balance**

8.104 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

8.105 Given the similarities between the previously refused scheme and the current scheme, as well as the appeal decision, Officers consider the proposal is acceptable for the reasons provided within this report. The application would provide two residential properties which would sit comfortably within the plot and provide a good level of amenity for future occupiers whilst respecting the amenities of neighbouring properties and preserving the character and appearance of the local area, by virtue of their scale and design. In addition, the changes to the car parking arrangements are considered to have overcome the dismissal reasons given by the inspector on grounds of noise generated by vehicular movements. As such, Officers consider the application be acceptable.

8.106 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations including the appeal decision, the proposed development is recommended for approval, subject to the conditions set out below.

9.0 **Recommendation**

9.1 **Approve** subject to:

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

9.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

10.0 **Planning Conditions**

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

3) The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 55, 57.

4) 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) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

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; 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.

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

5) No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, The Statement shall include:

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

c) The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

6) No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 7) 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 minimum 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 appropriate DEFRA metric in force at the time of application for discharge;
 - 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 appropriate DEFRA metric in force at the time of application for discharge;
 - 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 DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 8) No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

- 9) Notwithstanding the approved plans, the flat roof of the extension hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: greenrooforganisation.org

- 10) No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

- 11) No development above ground level, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

Reason: To ensure appropriate surface water drainage and to prevent the increased risk of flooding. (Cambridge Local Plan 2018 policies 31 and 32).

- 12) The development, hereby permitted, shall not be occupied or brought into use, until visibility splays have been provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No. PL-102 Rev B. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

- 13) The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway and uses a bound material to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall be retained as such.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

- 14) No development (including demolition) shall commence until details of the proposed construction access to the site have been submitted to and approved by the Local Planning Authority in writing. The details must include the timeframe for implementation, layout and internal construction (any construction within the adopted public highway will have to conform to the Highway Authority Specification). The approved details shall be fully implemented prior to any other works commencing on site.

Reason: To ensure the safe and effective operation of the adopted highway, in accordance with paragraph 111 of the NPPF.

- 15) No demolition or construction works shall commence on site until a Contractor's Parking Plan has been submitted to and agreed in writing by the local planning authority. The plan will need to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub contractors under taking the works. The works shall proceed in accordance with the approved details.

Reason: To ensure the safe and effective operation of the adopted highway, in accordance with paragraph 111 of the NPPF.

- 16) The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

Reason: To ensure appropriate provision for the secure storage of bicycles and refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

- 17) The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of

cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

- 18) The garages; hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house. It shall at no time be used as sleeping accommodation, nor shall it be separately occupied or let and no trade or business shall be carried on therefrom.

Reason: To avoid harm to the character of the area, to protect the amenity of neighbouring occupiers and because if the outbuilding were to be slept in or used as a separate unit of accommodation it would provide a poor level of amenity for its intended occupiers (Cambridge Local Plan 2018, policies 35, 50, 55, 52, and 57).

- 19) 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)

- 20) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

- 21) In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise

sensitive locations shall be assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

Development shall be carried out in accordance with the approved statement.

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

- 22) No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

- 23) Notwithstanding the approved plans, prior to the occupation of the dwellings hereby approved, details of the refuse store to serve the dwellings shall be 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 sufficient bin storage is in place to serve the dwellings, in accordance with Policy 57 of the Cambridge Local Plan 2018.

- 24) No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- A) The statement of significance and research objectives;
- B) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- C) The timetable for the field investigation as part of the development programme;
- D) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or

groundworks associated with the development scheme and to ensure the proper and timely preservation and/investigation, recording, reporting, archiving and presentation of archaeological assets affected by the development, in accordance with Policy 61 of the Cambridge Local Plan 2018.

11.0 Informatives

- 1) Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.
- 2) 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 satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.

- 3) In line with the transitional arrangements set out in the relevant approved documents, the Council expects the development hereby approved to meet the requirements of Parts O and F of Building Regulations. Where meeting these requirements results in any changes to the design of the proposals hereby approved, these amendments shall be submitted and approved by way of formal application to the local planning authority.
- 4) The granting of a 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. A separate permission must be sought from the Highway Authority for such works.

- 5) To satisfy the condition requirements the applicant/developer will need to demonstrate that practical consideration has been given to all aspects of Electric Vehicle (EV) charge point infrastructure installation and that the provision of an operational EV charge point or multiple points is deliverable, as part of the residential and/or commercial development. The intention or commitment in principle to install an active EV charge point will not be considered acceptable.

Information should include numbers of charge points, intentions for active and passive provision, location, layout (including placement of EV infrastructure), Charge Rates of active EV charge points (slow, rapid or fast) and availability of power supply. Further information on things to consider when designing and delivering EV charge points and the information required to discharge the associated planning condition can be found at <https://www.cambridge.gov.uk/air-quality-guidance-for-developers>.

- 6) The dust management plan should reference and have regard to various national and industry best practical technical guidance such as:
 - Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016)
 - Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)
 - 7) To satisfy and discharge Environmental Health recommended conditions (including those related to construction / demolition, operational artificial lighting, contaminated land, noise / sound, air quality (including Electric Vehicle Charging) and odours / fumes / smoke, any impact assessment and mitigation as required, should be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, (2020). Due regard should also be given to relevant and current up to date Government / national and industry British Standards, Codes of Practice and best practice technical guidance.
 - 8) Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.
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Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPD