



<b>Planning Committee Date</b>	10 January 2024
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	23/02622/FUL
<b>Site</b>	4 Cavendish Avenue, Cambridge, Cambridgeshire, CB1 7US
<b>Ward / Parish</b>	Queen Edith's
<b>Proposal</b>	Erection of dwelling following demolition of existing triple garage block, new vehicular access from the highway to serve existing dwelling
<b>Applicant</b>	Mrs L.J Bradford
<b>Presenting Officer</b>	Michael Sexton
<b>Reason Reported to Committee</b>	There are third party representations on planning grounds that are contrary to the officer recommendation that cannot be resolved by planning condition
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of development</li><li>2. Context of site, design and external spaces</li><li>3. Trees and landscape</li><li>4. Biodiversity</li><li>5. Highway safety</li><li>6. Residential Amenity</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks full planning permission for the erection of a dwelling following the demolition of an existing triple garage block and creation of a new vehicular access from the highway to serve existing dwelling.
- 1.2 The principle of erecting a dwelling in the rear garden of no.4 Cavendish Avenue would comply with relevant Local Plan policies, noting that consent for a similar development was granted in 2017 but not implemented.
- 1.3 The design and layout of the proposed dwelling, which is of a single storey contemporary design, is considered compatible with its location, noting similar 'backland' development in the immediate area. Additional and replacement planting can be accommodated within the site and a net gain in biodiversity, alongside ecological enhancements, can also be provided and secured by condition. Other relevant technical details relating to drainage, sustainability measures and highway safety have been found acceptable and to accord with relevant Local Plan policies, similarly secured by condition.
- 1.4 Secure cycle parking is provided towards the front of the proposed dwelling while an electric vehicle charging point is also provided.
- 1.5 The proposed dwelling, through its design and siting, is considered to respect the amenities of existing residential properties adjacent to the site, while also affording a reasonable level of amenity to any future occupiers of the dwelling.
- 1.6 Officers recommend that the Planning Committee approve the proposed development subject to conditions outlined in the report.

## 2.0 Site Description and Context

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

- 2.1 The application site is located in the rear garden of no.4 Cavendish Avenue and comprises a redundant triple garage within the private garden space. The area is heavily vegetated with trees and shrubs, none of which are protected.
- 2.2 The proposed development would be accessed via the existing vehicular access serving no.4 Cavendish Avenue that runs along the eastern boundary of the site. The site is located within a residential area and backs onto the rear gardens of properties fronting Hills Avenue to the south.
- 2.3 The site is located within Flood Zone 1 (low risk) and falls within the controlled parking zone. The site is not located in a Conservation Area or near to any listed buildings, or buildings of local interest. There is a tree in the front garden of the site that has a Tree Preservation Order.

### **3.0 The Proposal**

- 3.1 The application seeks planning permission for the erection of a dwelling following the demolition of an existing triple garage block and the creation of a new vehicular access from the highway to serve the existing dwelling.
- 3.2 The site forms part of the existing residential curtilage of no.4 Cavendish Avenue and comprises a redundant triple garage and private garden space. The garage is in poor condition. The proposed dwelling would be accessed via the existing vehicular access to the site.
- 3.3 At the front of the site, a new vehicular access would be provided to the existing dwelling of no.4 Cavendish Avenue and see a modest amount of associated work undertaken to the frontage of the site.

### **4.0 Relevant Site History**

- 4.1 16/2041/FUL – Erection of dwelling following demolition of existing triple garage block. New vehicular access from highway to serve existing dwelling – Approved (28 April 2017) (not implemented)

### **5.0 Policy**

- 5.1 **National**  
National Planning Policy Framework 2023  
National Planning Practice Guidance  
National Design Guide 2021  
Environment Act 2021  
Equalities Act 2010  
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design  
Technical Housing Standards – Nationally Described Space Standard (2015)  
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 33: Contaminated Land  
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 59: Designing landscape and the public realm  
Policy 66: Paving over front gardens  
Policy 69: Protection of sites of biodiversity and geodiversity importance  
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  
Trees and Development Sites SPD – Adopted January 2009

## 5.4 **City Wide Guidance**

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001)  
Greater Cambridge Sustainable Design and Construction SPD (2020)  
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste  
Cambridgeshire Design Guide For Streets and Public Realm (2007)  
Cycle Parking Guide for New Residential Developments (2010)

## 5.5 **Area Guidelines**

None relevant

## 6.0 **Consultations**

### 6.1 **Ecology Officer – No objection**

6.2 Recommend conditions for ecological compliance and biodiversity net gain.

**6.3 Environmental Health – No objection**

6.4 Recommend standard conditions for construction hours and piling along with informatives relating to dust and air source heat pumps.

**6.5 Local Highways Authority – No objection**

6.6 Recommend conditions for a pedestrian visibility splays, access falls, levels and materials, and County Council construction specification along with an informative relating to works to or within the public highway.

**6.7 Sustainable Drainage Officer – No objection**

6.8 Recommend conditions for surface water and foul water drainage schemes.

**6.9 Tree Officer – No objection**

6.10 Recommend conditions for an Arboricultural Method Statement and Tree Protection Plan, a site meeting, tree protection implementation, replacement planting and establishment.

**7.0 Third Party Representations**

7.1 Four representations have been received; two submitted as objections (nos.1 and 3 Hills Avenue) and two as 'neutral' comments on the application (nos.4A and 6A Cavendish Avenue).

7.2 Those in objection have raised the following issues:

- At least two new cars, which will increase noise and air pollution.
- Building is too big for the site; design is out of keeping.
- If approved, request construction method statement to protect shared boundary.
- Impact on foundations of Victorian brick wall and the Victorian coach house on the east side.
- Impact on hedgerows and trees, conflict with Policy 52.
- No information on where the air source heat pump will be placed.
- Proximity to shared boundary and impact on amenity (loss of privacy, encroachment, massing effect on visual amenity).

7.3 Those providing 'neutral' comments have raised the following:

- Adequate provision for surface water drainage should be made.
- Appropriate precautions for demolition and disposal.
- Increase in traffic movements.
- Interested to know what lies behind this development (family use of financial gain from the land).
- No information on where the air source heat pump will be placed.

- Removal of trees, hedges and shrubs, no indication of replacement.

7.4 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 Member Representations**

8.1 None.

## **9.0 Assessment**

9.1 In May 2017, planning permission was granted on the site for the erection of a dwelling following demolition of the existing triple garage block and new vehicular access from highway to serve existing dwelling following a resolution to grant permission by the Council's Planning Committee (ref.16/2041/FUL).

9.2 The 2017 permission was granted under the previous Cambridge Local Plan (2004) and lapsed in April 2020.

9.3 The current application site matches that of the 2017 consent and follows the same general layout. The elements that vary include a slightly larger footprint and a revised design to the proposed dwelling, which remains single storey in nature.

9.4 Since the 2017, a new Local Plan (the 2018 Local Plan) has been adopted and the proposed development is considered against the Policies of the 2018 Local Plan. Nonetheless, officers have had regard to relevant planning history for the site.

## **9.5 Principle of Development**

9.6 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. In principle, the policy is supportive of new housing development that will contribute towards an identified housing need.

9.7 The proposal would contribute to housing supply and would therefore comply with Policy 3 of the Local Plan.

9.8 Policy 52 sets out that proposals for development on sites that form part of a garden will be allowed where the dwellings will be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

9.9 The application proposes the erection of dwelling following demolition of an existing triple garage block, along with a new vehicular access from the highway to serve existing dwelling (no.4 Cavendish Avenue).

9.10 Although matters of design and amenity are considered in more detail below, the proposal aligns with the aims and objectives of Policy 52 of the Local Plan.

9.11 Overall, there is no in principle objection to the proposed development, subject to all other material planning considerations. The principle of development aligns with the aims and objectives of Policy 52.

#### 9.12 **Context of site, design and external spaces**

9.13 The application site is located to the south of Cavendish Avenue, an established residential area. The properties in the area generally comprise two storey dwellings finished with facing brickwork and tiled roofs, with some examples of single storey structures in and around the area. The properties typically form a linear pattern of development adjacent to the public highway, but there are several examples of 'backland' plots in the immediate area, namely nos.6a and 12a Cavendish Avenue to the east of the site and nos. 3 and 17b Hills Avenue to the south and east.

9.14 The site forms part of the existing residential curtilage of no.4 Cavendish Avenue and comprises a redundant triple garage and private garden space. The existing garage is a simple flat roof brick garage block with a corrugated roof and being to the rear of no.4 is not visible from the public realm. The garage is in poor condition and, notwithstanding its siting, offers no significant contribution to the site; its removal would represent a betterment to the visual amenity of the area.

9.15 The application proposes the erection of a detached single storey dwelling following the demolition of the existing garage block. The proposed layout incorporates a private amenity space and private courtyard for the future occupiers of the dwelling, two car parking spaces with maneuvering space, a bike store towards the front of the property for three bicycles and small bin store.

9.16 The proposed dwelling, by virtue of its location and scale, would not be evident from the public highway and would have a limited impact on the visual amenity and character of the area. Given its scale and location, the proposed dwelling is considered compatible with the character of the area and compatible with the pattern of development in the surrounding area, noting similar 'backland' development in the immediate area.

9.17 The proposed dwelling would be of a contemporary design comprising materials including as dark weathered brickwork, black/charred timber boarding with storm grey zinc roof covering. The proposed external material palette is considered acceptable and would add to the varied architectural vernacular of the area and can be secured by condition (**Condition 25 – Materials**).

- 9.18 Details of boundary treatments can be secured by condition to ensure the development is compatible with the character and visual amenity of the area (**Condition 10 – Boundary Treatments**).
- 9.19 Overall, officers are satisfied that the site can accommodate the proposed development while respecting the character and appearance of the area. However, to ensure the proposed dwelling does not become overly dominant or cramped in appearance, officers consider it reasonable and necessary to remove permitted development rights under Classes A, B and E (**Condition 27 – PD Class A, Condition 28 – PD Class B, Condition 29 – PD Class E**).
- 9.20 Overall, and subject to conditions, the proposal is compliant with Policies 52, 55, 56, 57, and 59 of the Local Plan and the NPPF.
- 9.21 **Trees and Landscape**
- 9.22 Policies 59 and 71 of the Local Plan seek to preserve, protect, and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 131 of the NPPF seeks that existing trees are retained wherever possible.
- 9.23 The application is supported by an Arboricultural Impact Assessment (Ligna Consultancy, June 2023) and Tree Protection Plan (Ligna Consultancy, June 2023).
- 9.24 The Assessment set out that 14 individual trees and two groups of trees would need to be removed to accommodate the proposed development, none of which are protected by a TPO. All the trees indicated for removal have been identified as Category C trees (trees of a low quality, small size or incapability to be protected within the legal framework) along with the removal of three hedges/shrubs. The Assessment recommended that at least four new trees should be included within the landscaping scheme to mitigate against the proposed removals.
- 9.25 Most of the trees identified for removal are in the rear garden of the existing dwelling, along with the three hedges/shrubs also identified for removal. Three Category C within the frontage of the site have been identified for removal. None of these are protected by a TPO.
- 9.26 The application has been subject to formal consultation with the Council's Trees Officer, who raises no objection to the proposal, subject to conditions.
- 9.27 The loss of trees and hedges/shrubs to the rear of the property would have no material impact on visual amenity of the area from the public realm and their removal is considered acceptable in this instance, noting that these could be removed without the need for any formal consent. However, the



trees to the front of the site play an important role in the verdant character of Cavendish Avenue.

- 9.28 Although no formal objection was raised by the Council's Trees Officer, concerns were initially raised regarding the proposed alterations to the front of the site to accommodate a new access and the removal of an established beech tree in the verge was not supported (not identified in the original Assessment). It was also highlighted that changes in levels would require significant excavation to accommodate level access for vehicles within the Root Protection Area of a retained tree.
- 9.29 To address the concerns of officers, a revised Arboricultural Impact Assessment (Ligna Consultancy, October 2023) was submitted to support the application (alongside an updated site plan for the development).
- 9.30 The October Assessment provided a revised access arrangement that allowed for the retention of the established beech tree in the verge (T20) and moved a significant amount of access works outside of the RPA of a retained tree (T19). The Assessment also recognised further protection measures for more trees. Officers consider these amendments to be positive.
- 9.31 Notwithstanding the revisions, the proposal would still see the loss of some trees to the front of the site (T16, T17 and T18) and part of the front hedge, which would have a negative impact on the verdant character of the road. However, as noted in the updated comments of the Council's Trees Officer, this impact is not considered to be sufficient to warrant a refusal of the application on arboricultural grounds. Furthermore, officers consider that the impact could be mitigated through replacement planting, with sufficient space available for further planting, to maintain the verdant character of Cavendish Avenue.
- 9.32 Although the Arboricultural Impact Assessment has been updated, no updated Tree Protection Plan has been submitted. Therefore, noting the comments of the Council's Trees Officer, officers consider it reasonable and necessary to impose conditions requiring an Arboricultural Method Statement and Tree Protection Plan, a site meeting, tree protection implementation to ensure retained trees are suitably protected during the construction period (**Condition 3 – AMS and TPP, Condition 4 – Arboricultural Site Meeting, Condition 18 – Tree Protection (implementation)**).
- 9.33 In terms of replacement planting, no specific locations have been identified as part of the proposed submission. However, in consultation with the Council's Trees Officer, officers are satisfied that the site would be able to accommodate appropriate new and replacement planting and its implementation. These details can be secured by condition (**Condition 5 – Replacement Planting, Condition 19 – Replacement Planting (implementation)**).

- 9.34 Subject to conditions, the proposal would accord with policies 59 and 71 of the Local Plan.
- 9.35 **Biodiversity**
- 9.36 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.
- 9.37 Policy 70 of the Local Plan 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.
- 9.38 The site consists of a domestic garden with outbuildings, grasslands, trees, and introduced shrub. The site sits within the Impact Risk Zone of a nearby statutory protected site; however, the application does not meet the criteria that would require a consultation with Natural England. There are no non-statutory protected sites in the vicinity that are likely to be impacted by the application.
- 9.39 The application is supported by a Preliminary Ecological Appraisal (Denny Ecology, June 2023) and a Biodiversity Net Gain Plan (Denny Ecology, June 2023).
- 9.40 The Appraisal details that the site is of low ecological value with there being no evidence of bat presence or schedule 1 bird species, reptiles, hedgehogs, and badgers. The Appraisal did not find any evidence that a protected species licence would be required prior to works commencing but recommends non-licensable reasonable avoidance measures to remove any residual risk of harm to priority and protected species. The Appraisal also notes that should the ecological mitigation and enhancement proposed be implemented, the development is likely to result in a net gain in biodiversity on the site.
- 9.41 The Net Gain Plan sets out that the calculated change in biodiversity value as a result of the development proposal's net gain plan is a net loss of 25% for habitat units, and a net gain for hedgerow units of 20%. Therefore, the scheme would result in an acceptable net gain for on-site hedgerows but would require off-site compensatory offsetting for habitats.
- 9.42 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposed development subject to conditions.
- 9.43 As noted in the comments of the Council's Ecology Officer, the application will result in a small loss in biodiversity area units; however, the applicant has suggested that the remaining units required can be created on other

land holdings within the applicant's ownership. This approach has been accepted by the Council's Ecology Officer as an acceptable strategy in this instance and can be secured through condition (**Condition 6 – Biodiversity Net Gain**).

9.44 Officers also consider it reasonable and necessary to impose conditions requiring the submission of a scheme for ecological enhancement and to ensure works are carried out in accordance with the submitted Ecological Appraisal (**Condition 9 – Ecological Enhancement, Condition 17 – Ecology Compliance**).

9.45 Subject to the recommended conditions, the proposal would accord with Policies 57, 59 and 70 of the Local Plan and the Council's Biodiversity SPD.

#### 9.46 **Water Management and Flood Risk**

9.47 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

9.48 The application has been subject to formal consultation Council's Sustainable Drainage Engineer, who raises no objection to the proposal subject to conditions to secure a scheme of surface water and foul water drainage. Officers consider the recommended conditions reasonable and necessary as part of any consent, to ensure a satisfactory method of drainage and to prevent an increased risk of flooding (**Condition 7 – Surface Water Drainage, Condition 8 – Foul Water Drainage**).

9.49 Subject to the recommended conditions, the proposal would comply with Policies 31 and 32 of the Local Plan.

#### 9.50 **Highway Safety and Transport Impacts**

9.51 Policy 80 of the Local Plan supports developments where access via walking, cycling and public transport are prioritised and is accessible for all.

9.52 Policy 81 of the Local Plan states that developments will only be permitted where they do not have an unacceptable transport impact.

9.53 Paragraph 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.

9.54 The application is proposing to utilise the existing to the site to provide vehicular access to the proposed dwelling. This is acceptable and not considered to result in harm to highway safety.

9.55 The application also proposes the creation of a new vehicle access to the existing property of no.4 Cavendish Avenue, providing direct access to the

public highway. The proposed layout plan shows a new access central to the driveway of no.4 with two designated parking spaces and an area to manoeuvre cars off the public highway.

- 9.56 The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposal subject to conditions for pedestrian visibility splays, access falls, levels and materials, and County Council construction specification along with an informative relating to works to or within the public highway.
- 9.57 Officers consider the recommended conditions reasonable and necessary as part of any consent to ensure the proposal does not result in harm to highway safety (**Condition 20 – Pedestrian Splays, Condition 21 – Driveway Construction, Condition 22 – Construction Specification**).
- 9.58 Subject to conditions, the proposal accords with the objectives of Policies 80 and 81 of the Local Plan and is compliant with NPPF advice.

#### 9.59 **Cycle and Car Parking Provision**

##### Cycle Parking

- 9.60 Policy 82 of the Cambridge Local Plan (2018) requires new developments to provide at least the cycle parking levels in Appendix L.
- 9.61 Appendix L of the Cambridge Local Plan sets out that cycle parking should accord with the Council's Cycle Parking Guide for New Residential Developments (para. L.24) and should be located in a purpose-built area at the front of the house and be at least as convenient as the car parking provided. For residential dwellings a minimum standard of 1 space per bedroom up to 3-bedroom dwellings.
- 9.62 Paragraph 9.32 of the Cambridge Local Plan states that the provision of good, high quality and easily accessible cycle parking is important to encourage cycling and also reduce the theft of bikes. Like car parking, cycle parking should be 'designed in' to developments from an early stage.
- 9.63 The proposed layout provides cycle storage to the front/side of the new 3-bed dwelling and space for the covered storage of three bicycles. The siting of the cycle store is considered acceptable in the layout of the development and its relationship to the access to the site and to provide sufficient spaces, in accordance with the recommended minimum standards.
- 9.64 The provision of cycle parking prior to occupation of the new dwelling can be secured by condition (**Condition 14 – Cycle Parking**).

##### Car parking

- 9.65 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. Outside of the Controlled Parking Zone 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.

- 9.66 The proposed car parking provision for the new dwelling would see two designated spaces provided, one of which would be equipped with an electric vehicle charging point. The charging point can be secured by condition **(Condition 13 – EV Charging)**.
- 9.67 The development would also see alterations made to the existing access and car parking arrangements for no.4 Cavendish Avenue. As noted above, two parking spaces would be provided within a parking area/driveway that also provides space for vehicles to manoeuvre clear of the public highway, which is supported.

#### Conclusion

- 9.68 The proposed development is considered to make appropriate provision for car and cycle parking for the new dwelling while the revised car parking arrangements for the existing dwelling of no.4 Cavendish Avenue are considered acceptable.
- 9.69 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 9.70 **Residential Amenity**
- 9.71 Policies 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 9.72 The neighbouring properties with the greatest potential for impact from the proposed dwelling are nos.4, 4A and 6 Cavendish Avenue to the north, no.6A Cavendish Avenue and no.3 Hills Avenue to the east, no.1 Hills Avenue to the south and no.237 Hills Road to the west.
- 9.73 The proposed dwelling is sited approximately 24 metres from the two storey rear elevation of nos. 4, 4A and 6 Cavendish Avenue to the north. Given the single storey design and degree of separation, the proposed dwelling is not considered to result in harm to the amenities of existing properties to the north by way of a significant loss of light, loss of privacy or overbearing impact.
- 9.74 The vehicular access to the proposed dwelling would run between nos.4 and 6 Cavendish Avenue. Given the existing access arrangements and low number of vehicular movements likely to arise from the use of the proposed dwelling, the proposal is not considered to result in a significant amount of noise and disturbance to these neighbouring properties.

- 9.75 No. 6A Cavendish Avenue is located approximately 15 metres north-east of the site. Given the relative siting of the two properties no significant harm is considered to arise.
- 9.76 No. 3 Hills Avenue is located to the east of the proposed dwelling, which would be built hard to the shared boundary, set approximately 5 metres from the eastern elevation of the development at the closest point between built forms. The eaves height of the proposed dwelling at the shared boundary would be approximately 3.1 metres with a low-pitched roof form rising away from the boundary. Rooflights are proposed in the eastern elevation of the dwelling.
- 9.77 Given the relatively low-profile of the proposed dwelling, the proposal is not considered to result in harm to the amenities of no.3 Hills Avenue by way of a significant loss of light, loss of privacy or overbearing impact.
- 9.78 To the south of the site is no.1 Hills Avenue, set between 10 and 15 metres from the proposed dwelling given the form of the existing dwelling. Again, the proposed dwelling would be built close to the shared boundary to the south, with an eaves height of approximately 3.1 metres with a low roof form rising away from the boundary.
- 9.79 Given the relatively low-profile of the proposed dwelling, the proposal is not considered to result in harm to the amenity of no. 1 Hills Avenue by way of a significant loss of light, loss of privacy or overbearing impact.
- 9.80 To the west of the site is no.237 Hills Road, approximately 13.5 metres from the western elevation of the proposed dwelling, which would be built hard to the boundary. Here, an eaves height of approximately 3 metres rises to a maximum ridge height of approximately 4.2 metres. Several rooflights are proposed in the western roofslope of the new dwelling.
- 9.81 Given the single storey form of the proposed dwelling and its siting relative to no.237 Hills Avenue, the proposal is not considered to result in harm to the amenities of no. 237 Hills Avenue by way of a significant loss of light, loss of privacy or overbearing impact.
- 9.82 Given the relatively confined nature of the site and proximity to existing properties, officers consider it reasonable and necessary to impose conditions to remove permitted development rights for extensions, dormer windows and outbuildings, to protect the amenities of neighbouring properties for further impact that does not form part of this proposal **(Condition 27 – PD Class A, Condition 28 – PD Class B, Condition 29 – PD Class E).**

#### Future Occupants

- 9.83 Consideration is also given to the amenities of the future occupants of the proposed development.

- 9.84 Policy 50 of the Local Plan requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 9.85 The gross internal floor space measurements will be identical for units is 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 <sup>2</sup> )	Proposed size of unit	Difference in size
1	3	6	1	95	150.17	+55.17

- 9.86 Policy 50 of the Local Plan 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.
- 9.87 The private amenity space for the proposed dwelling is approximately 57square metres split into two areas: a private garden to the front of the dwelling and a private courtyard to the rear. The quantum and quality of these spaces are considered acceptable.
- 9.88 Given the siting of the proposed dwelling and associated amenity spaces in relation to existing residential development around the site, the development is considered to provide a reasonable level of private amenity for the future occupiers.
- 9.89 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 to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings.
- 9.90 The Design and Access Statement submitted states the proposal would comply with these standards (M4(2)). To ensure compliance with Policy 51, a condition is recommended as part of any consent that the dwellings are constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' (**Condition 26 – Part M4(2)**).

#### Construction and Environmental Impacts

- 9.91 Policy 35 of the Local Plan guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.
- 9.92 The Council's Environmental Health Team have assessed the application and recommended standard conditions restricting construction hours and piling (if required). Officers consider these conditions reasonable and necessary (**Condition 23 – Hours of Work, Condition 24 – Piling**), along

with informatives relating to air source heat pumps and plant noise insulation.

- 9.93 With regards to the installation of an air source heat pump (ASHP), the comments raised by third parties are noted.
- 9.94 The submitted Design, Access and Sustainability Statement sets out that an ASHP will be installed to enhance the sustainable performance of the development. To clarify this provision an updated Site Plan and elevation plan were provided to show the position of the ASHP. The ASHP would be located adjacent the northern elevation of the proposed dwelling, near to the proposed bike store and bin store, with neighbouring gardens to the north and west.
- 9.95 The proposed location is considered acceptable, but officers consider it reasonable and necessary to impose a plant noise insulation condition as part of any consent to protect the amenity of nearby properties (**Condition 16 – Plant Noise Insulation**).

#### Conclusion

- 9.96 Subject to the recommended conditions, the proposal would adequately respect the amenity of its neighbours and of future occupants of the site and is considered to comply with Policies 35, 50, 51, 52 and 58 of the Local Plan.
- 9.97 **Sustainability**
- 9.98 Policy 28 of the Local Plan states that all development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals.
- 9.99 As noted above an air source heat pump will be installed to enhance the sustainable performance of the proposed development. Additionally, the Design, Access and Sustainability Statement sets out that the development will conform to Building Regulations, with a view to bettering the current requirements, targeting the Future Homes Standard and LETI (Low Energy Transformation Initiative) new build guidance. A fabric first approach has been taken to the design of the dwelling, minimising the requirement for renewable energy generation technologies.
- 9.100 Officers consider it reasonable and necessary to impose conditions to secure details of carbon reductions as required by the 2021 edition of Part L of the Building Regulations and water efficiency as part of any consent (**Condition 11 – Renewables, Condition 12 – Water Consumption**).
- 9.101 Subject to the recommended conditions, the proposal would accord with Policy 28 of the Local Plan.



## 9.102 **Other Matters**

### Bins

- 9.103 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 9.104 Recycling and waste provision has been accommodated toward the front of the proposed dwelling in the form of a bin store. This is considered acceptable.
- 9.105 Given the 'backland' nature of the proposed dwelling the travel distance for the bins to the collection point will exceed the recommended 30 metres tow distance. However, this is not considered to provide sufficient harm in isolation to warrant a refusal of the application, noting similar 'backland' developments and associated tow distances in the immediate area. For example, nos.6a and 12a Cavendish and no.3 Hills Avenue all have a similar drag distance to the proposed development (approx..50 metres).

### Green / Brown Roof

- 9.106 Policy 31 requires that any flat roof is a green or brown roof, providing that it is acceptable in terms of its context in the historic environment of Cambridge and the structural capacity of the roof if it is a refurbishment.
- 9.107 The proposed dwelling contains areas of flat roof within its design, annotated to be Green Roofs on the proposed plans of the development. The implementation of a green roof can be secured by condition **(Condition 15 – Green Roof)**.

### Permitted Development

- 9.108 The proposed development has been found acceptable in terms of its impact on the character of the area and residential amenity, as set out above. However, given the small-scale nature of the site, officers consider it reasonable and necessary to remove permitted development rights under Schedule 2, Part 1, Classes A, B and E of the GDPO.
- 9.109 Without such restrictions, extensions, dormer windows and outbuildings could be added to the Plot without formal planning consent, which may give rise to greater impacts on the character of the area and amenities of neighbouring properties considered as part of the current application (Local Plan policies 52, 55, and 57).

### Pre-Commencement Conditions

- 9.110 Pre-commencement conditions have been agreed in writing with the agent/applicant prior to the determination of the application.

### 9.111 Third Party Representations

9.112 Matters relating to principle of development, impact of the character and appearance of the area, biodiversity, drainage highway safety, and residential impact have been addressed in the body of the report. The remaining third-party representations are summarised and considered in the table below:

Third Party Comment	Officer Response
<p>If approved, request construction method statement to protect shared boundary.</p> <p>Impact on foundations of Victorian brick wall and the Victorian coach house on the east side.</p>	<p>The proposed dwelling is located close to shared boundaries with existing residential properties adjacent to the site.</p> <p>A condition for a construction method statement is not considered necessary for the scale of development; no such condition has been recommended by the Council's Environmental Health Team. However, a condition restricting Piling without further details has been recommended as part of any consent.</p> <p>Given the proximity to shared residential boundaries the Party Wall Act would apply.</p>
<p>Interested to know what lies behind this development (family use of financial gain from the land).</p>	<p>This is not a material planning consideration.</p>

### 10.0 Planning Balance

- 10.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 10.2 The principle of erecting a dwelling in the rear garden of no.4 Cavendish Avenue, is acceptable and complies with Local Plan policies. This is further demonstrated through the planning history of the site.
- 10.3 The design and layout of the proposed development is in keeping with the overall character and appearance of the area, with details of external materials secured by planning condition. Additional and replacement planting can be accommodated within the site and is to be secured by condition, including to the front of the site to ensure the development maintains the verdant character of Cavendish Avenue.

- 10.4 A net gain in biodiversity and enhancements can be secured by conditions, alongside other relevant technical details relating to sustainability measures and highway safety.
- 10.5 Secure cycle parking is provided towards the front of the proposed dwelling while an electric vehicle charging point is also provided.
- 10.6 The proposed dwelling, through its design and siting, is considered to respect the amenities of existing residential properties adjacent to the site, while also affording a reasonable level of amenity to any future occupiers of the dwelling.
- 10.7 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, the proposed development is recommended for approval.

## **11.0 Recommendation**

### **11.1 Approve** subject to:

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

## **12.0 Planning Conditions**

### **1 Time Limit**

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 Approved Plans**

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

*Plans to be listed:*

*1231-PL-01A (Location Plan)*

*1231-PL-03D (As Proposed Site Plan)*

*1231-PL-04 (As Proposed Floor Plan and Elevations)*

*1231-PL-06 (Proposed South Elevation)*

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 Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)**

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

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

### **4 Arboricultural Site Meeting**

Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager and the arboricultural consultant to discuss details of the approved AMS. A record of this meeting will be issued to the council and approved before works commence.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees

### **5 Replacement Planting**

No works to any trees shall be carried out until the Local Planning Authority has received and approved in writing the full details of replacement planting. Details are to include number of replacements, species, size, location and approximate date of planting.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity (Cambridge Local Plan 2018 Policy 71).

## **6 Biodiversity Net Gain**

No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i. A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii. Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric;
- iii. Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv. Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric;
- v. An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2023 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

## **7 Surface Water**

No development above ground level, other than demolition, shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority.

The scheme shall include:

- i. Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- ii. Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;

- iii. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- iv. A plan of the drained site area and which part of the proposed drainage system these will drain to;
- v. Full details of the proposed attenuation and flow control measures;
- vi. Site Investigation and test results to confirm infiltration rates;
- vii. Full details of the maintenance/adoption of the surface water drainage system;
- viii. Measures taken to prevent pollution of the receiving groundwater and/or surface water;
- ix. Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.

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 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).

## **8 Foul Water**

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).

## **9 Ecological Enhancement**

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).

## **10 Boundary Treatments**

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 (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details 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).

## **11 Renewables**

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

- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and
- b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

## **12 Water Consumption**

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).

### **13 EV Charging**

The electric vehicle charging point and associated infrastructure as detailed in and as shown on drawing number 1231-PL-03D (As Proposed Site Plan) shall be fully installed and operational before final occupation of the residential units and shall be retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (2023) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

### **14 Cycle Parking**

The development shall not be occupied, until the covered, secure parking of cycles for use in connection with the development have been installed on site as detailed in and as shown on drawing numbers 1231-PL-03D (As Proposed Site Plan) and 1231-PL-04 (As Proposed Floor Plan and Elevations).

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 stores and green roof 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).

### **15 Green Roof**

Notwithstanding the approved plans, the flat roof of the development, 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](http://greenrooforganisation.org)

## **16 Plant noise insulation**

No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

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

## **17 Ecology Compliance**

All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal (Denny Ecology, June 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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

## **18 Tree Protection (implementation)**

The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

## **19 Replacement Planting (implementation)**

Trees shall be planted in accordance with the approved planting proposal so as to ensure establishment and independence. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed, damaged, or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity. (Cambridge Local Plan 2018 policy 71).

## **20 Pedestrian Splays**

Two pedestrian visibility splays of 2 metres x 2 metres, as shown on drawing number PL-03 Rev D, shall be maintained free from obstruction exceeding 0.6 metres above the level of the adopted public highway for the lifetime of the development.

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

## **21 Driveway Construction**

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 for the first five metres 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).

## **22 Access Construction**

The new vehicular access, where it crosses the public highway, shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2018 policy 81).

## **23 Hours of Works**

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).

## **24 Piling**

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)

## **25 Materials**

The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within the application form and approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

## **26 Part M4(2)**

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)

## **27 Permitted Development: Class A**

Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting the character of the area and residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

## **28 Permitted Development: Class B**

Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: In the interests of protecting the character of the area and residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

## **29 Permitted Development: Class E**

Notwithstanding the provisions of Schedule 2, Part 1, Class 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 provision within the curtilage of the dwelling house(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting the character of the area and residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57)

## **13.0 Informatives**

### **1 Highways**

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, and that a separate permission must be sought from the Highway Authority for such works.

### **2 Air Source Heat Pumps**

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 Plant Noise Insulation**

To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014+A1:2019) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background sound level (LA90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive sounds and other sound characteristics should be eliminated or at least considered in any assessment and should carry an additional correction (rating penalty) in accordance with BS4142:2014+A1:2019. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the application boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014+A1:2019 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, frequency spectrums, directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full acoustic calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.