



<b>Planning Committee Date</b>	6 March 2024
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/05352/FUL
<b>Site</b>	Land Rear Of 18 Adams Road Cambridge Cambridgeshire CB3 9AD
<b>Ward / Parish</b>	Newnham
<b>Proposal</b>	Erection of a single dwelling and garage
<b>Applicant</b>	Professor Cathy Speed
<b>Presenting Officer</b>	Mary Collins
<b>Reason Reported to Committee</b>	Called-in by Cllr Simon Smith Third party representations
<b>Member Site Visit Date</b>	5 February 2024
<b>Key Issues</b>	-Impact on Adams Road Bird Sanctuary -Impact on conservation area -Biodiversity -Trees
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions.

## 1.0 Executive Summary

1.1 The application seeks planning permission for the erection of a single dwelling and garage.

1.2 The development accords with the Development Plan for the following reasons:

- The siting, form, height, layout and design of the proposed dwelling is acceptable and responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained which is important to biodiversity interests. In addition, it would have no adverse impacts upon the character of the Adams Road Bird Sanctuary (ARBS) as a protected open space.
- The proposed development follows the ecology mitigation hierarchy by minimising harm upon the protected species and habitats and providing deliverable compensation and mitigation measures.
- Sufficient space for replacement tree planting is retained within the site. Acceptable protection for the remaining trees. It is not considered that the proposed dwelling would significantly increase the likelihood of tree removals taking place in the future.
- The proposed development would not result in significant adverse impacts upon residential amenity.
- The proposed development would provide for a high-quality living environment for future occupiers.
- The proposed development would provide appropriate refuse and car/cycle parking facilities and would not result in unacceptable highways impacts.
- Following review of the January 2024 – 18 Adams Road – Ecology Rebuttal, prepared by Applied Ecology Limited, the previous request for further bat surveys and the previous objection (28<sup>th</sup> November 2023) has been withdrawn subject to the requested conditions to secure an ecologically sensitive lighting scheme, Great Crested Newt site clearance protection measures, onsite BNG and species-specific habitat enhancements.

1.3 Officers recommend that the Planning Committee approve the scheme.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	X

Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	X
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

\*X indicates relevance

- 2.1 The application site is situated within the Newnham Ward in the City of Cambridge. It is located within the West Cambridge Conservation Area.
- 2.2 The site is located adjacent to the Adams Road Bird Sanctuary (ARBS), designated as a Protected Open Space (Natural and Semi-natural Green Space) and City and County Wildlife Site within the Cambridge Local Plan 2018.
- 2.3 The closest Listed Buildings are at No.60 and No.62 Grange Road and Buildings of Local Interest are identified along Adams Road. There are trees within the application site which are protected by virtue of being within the conservation area.
- 3.0 The Proposal**
- 3.1 Planning permission is sought for the erection of a single dwelling and garage.
- 3.2 The application has been amended to address representations and further ecology reports have been received and consultations have been carried out as appropriate.
- 3.3 A proposal for the erection of two dwellings following the demolition of No.18 Adams Road was brought to Planning Committee on 1<sup>st</sup> December 2021. The application was refused on 7<sup>th</sup> December 2022. The application was dismissed at appeal on 16th February 2023.

#### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
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15/1044/FUL	Demolition of garage. New extensions to west and east side of existing house Condition 4 - Archaeology	Permitted
15/1044/COND4		Discharged
18/0149/S73	Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to correct the approved drawings to 0228/P/110C, 0228/P/115 C, 0222/P/116 C and 0228/P/100.	Permitted
19/0831/FUL	Erection of 2no. dwellings following the demolition of 18 Adams Road	Withdrawn
20/01953/S73	S73 application to vary condition 1 (Approved Drawings) of planning permission 18/0149/S73 (Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to amend the approved drawings in order to make alterations to the design	Permitted
21/02098/HFUL	Installation of entrance gates to existing driveway	Permitted
21/01437/FUL	Erection of 2no dwellings following the demolition of No.18 Adams Road	Refused. Appeal dismissed

4.1 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix A.

## 5.0 Policy

### 5.1 National

National Planning Policy Framework 2023

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 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

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 61: Conservation and enhancement of historic environment

Policy 67: Protection of open space

Policy 68: Open space and recreation provision through new development

Policy 69: Protection of sites of biodiversity and geodiversity importance

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 **Neighbourhood Plan**

N/A

#### **5.4 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Landscape in New Developments SPD – Adopted March 2010

Open Space SPD – Adopted January 2009

Trees and Development Sites SPD – Adopted January 2009

#### **5.5 Other Guidance**

West Cambridge conservation area

#### **6.0 Consultations**

##### **6.1 County Highways Development Management – No Objection**

Following a careful review of the documents provided to the Highway Authority as part of the above planning application, the effect of the proposed development upon the Public Highway should be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal:

- the access be laid out and constructed so that it is 5m wide for the first 10m into the site from the boundary of the adopted public highway (in this case the back that two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall be within land under the control of the applicant and not within the adopted public highway. The splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.
- that the proposed driveway 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.
- the proposed drive be constructed using a bound material, for a distance of not less than 10m from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.
- the proposed gates must be set back at least 5m into the applicant's property from the boundary of the adopted public highway. In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that 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.

##### **6.2 Sustainable Drainage Officer – No Objection**

A desktop study Flood Risk Assessment has been submitted. The proposals include a small basement area, which is to be used for storage and plant only. The above document summarises the assessment of flood risk from all sources and there is no identification of significant risk. Although, no groundwater flood risk was identified, further groundwater/geotechnical investigations should be carried out at detail design stage and the risk of groundwater egress into the basement and groundwater displacement should still be assessed with detailed investigation and managed accordingly. As this is a minor development it would be acceptable to obtain this information by way of condition along with the drainage conditions.

Recommended conditions.

- Groundwater Prior to the commencement of the development a detailed basement ground water impact assessment report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide advice as to whether the development of the site will have any impact upon the ground water based on ground water monitoring. Should the report demonstrate any impact on groundwater, it shall also propose mitigation to be carried out in accordance with a proposed phased programme of implementation. Any mitigation shall be carried out in accordance with approved report and details of timing.
- Surface Water Drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, 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 before the development is occupied.
- Foul drainage No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

**6.3 Conservation Officer – No Objection -** The site is within the West Cambridge Conservation Area. Previous applications for this site have been supported by the Conservation Team. The most recent, 21/01437/FUL for the erection of two dwellings following the demolition of no. 18, was refused at Committee and the subject of an appeal.

The new proposals retain the existing dwelling at no. 18, and introduce a new, two storey, flat roofed residence to the north. There are no objections to these proposals.

The new dwelling is architecturally appropriate to the site. West Cambridge Conservation Area is characterised by large, individual properties in generous gardens. The siting of this house, which is smaller than that previously proposed on this site in the 2021 application, allows for amenity space around it without compromising no. 18 which is to remain. As with the previous applications, there will be limited views of the building from Grange Road,

through the Trinity Sports Field, and those views are acceptable in terms of the character and appearance of the conservation area. There will be limited if any views from Adams Road.

In comparison to the refused scheme, the height of the proposed building in this plot is somewhat lower than the ridge of the existing building being of two storeys rather than the three previously proposed, and the footprint is smaller: this lessens the impact that the building will have on the West Cambridge Conservation Area.

The design of the proposed new building is modernist with the flat roof, rendered elevations, and large areas of glazing. The Design and Access Statement states that the windows will have electronic, black-out, roller blinds that will be used to ensure there is no unnecessary light spillage from the windows in this quiet location. Both levels of the house have green roofs as does the garage.

As the materials and the landscaping proposals have been submitted with the application, no Conservation conditions are considered necessary.

**6.4 Senior Sustainability Officer – No Objection.**

**6.5 Ecology Officer – No Objection** - Following review of the January 2024 – 18 Adams Road – Ecology Rebuttal, prepared by Applied Ecology Limited, I withdraw the previous request for further bat surveys and the previous objection (28<sup>th</sup> November 2023) to the proposed development, subject to the requested conditions to secure an ecologically sensitive lighting scheme, Great Crested Newt site clearance protection measures, onsite BNG and species-specific habitat enhancements.

Noted how revised application responds to the previous planning inspector's decision and concerns with regard ecology (APP/Q0505/W/22/3299064, 21/01437/FUL), through reducing the proposed number of dwellings to a single unit, locating the built form further from the boundary and providing additional ecological survey information with relation to potential impacts and proposed mitigation for invertebrates, bats, and GCN. There remains an inherent risk to the ARBS designated site through any form of development within the current garden buffer to the County Wildlife Site, however, it is considered the proposals meet current policy with regard both designated sites and protected species and the requested conditions reduce these risks to acceptable levels.

**6.6 Wildlife Trust – Object** Adams Road Sanctuary has been selected as a County Wildlife Site for its invertebrates, but in its urban City location it is also a haven for a wide variety of other fauna including birds, bats and amphibians. Adams Road Sanctuary would not be able to support the numbers of species it does without the supporting habitat provided by the large back gardens of Adams Road and other streets within the West Cambridge Conservation Area. The loss of the garden at 18 Adams Road represents almost a 10% loss of the supporting large garden habitats within a 30-metre buffer surrounding Adams Road Sanctuary CWS. Any further loss of large gardens in this location should be resisted in line with City Council Local Plan policies for biodiversity conservation



and garden development. While efforts have been made to acknowledge and address the potential for adverse impacts on Adams Road Sanctuary from lighting, the proposals for lighting mitigation are unrealistic and unenforceable. Future occupiers of a new property are very unlikely to follow the proposed restrictions and will in all likelihood install additional lighting, with consequential adverse impacts on the CWS, contrary to planning policy. The submitted Biodiversity Net Gain assessment for this application presents a far more realistic assessment than that included with the previous application and planning appeal. It shows a 2.3% net gain in habitat units which is not significant and as such does not meet local planning policy, as well as being well short of the 10% expected once BNG becomes mandatory later this year.

6.7 **Tree Officer – Object.** There are no formal objections to proposed tree removals. However, the proposed redevelopment of the site fails to address the detrimental impact retained trees will have on the usability of outside space and the impact of shading on the properties. While the existing house is shaded by the trees towards the south of the site, it currently benefits from the large garden to the north. Useable outside space will be compromised by the new house to the north. This will result in reasonable pressure to allow additional tree removals to improve light to the properties. Have concerns about the availability of space outside tree canopies and root protection areas for sustainable drainage, access, storage of materials and construction. Plans indicate significant replacement planting but given the extent of existing tree cover, significant tree planting is not considered to be sustainable as this would only further reduce the amount of useable outside space and increase unwanted shading. For the reasons above the proposal is not supported arboriculturally as it does not respect policy 71 of the Local Plan.

6.8 **Environmental Health – No Objection** - Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, recommend the following standard conditions:

- Demolition/Construction hours
- Demolition/Construction collection/delivery hours

6.9 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.

## 7.0 **Third Party Representations**

7.1 39 representations have been received.

7.2 Those in objection (35) have raised the following issues:

- Impact upon Adams Road Bird Sanctuary (Protected Open Space, City and County Wildlife Site)

- Adverse impact upon ecology and tranquillity of this natural space, especially over construction period.
- Three storey design inappropriate. Visual impact upon users.
- Critical to respect a 30-metre green buffer building line around the Sanctuary to protect the habitat. Siting is inappropriate.
- Increased noise and movements, increased artificial light on dark and tranquil nature of Sanctuary.
- Social harm to users of sanctuary.
- Will destroy uniqueness and public contribution of Bird Sanctuary.
- NPPF states that decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value, mitigate and reduce noise from new development and limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- Contribution to public and social amenity and likely impacts on it of light, noise, vehicle movement and other disturbance (Policy 52), importance of Sanctuary and its large surrounding gardens to Conservation Area (Policy 61).
- Dominate entrance track.
- Harm the character of open space of environmental and/or recreational importance, and conflict with Policy 67.
- Open space identified for protection in the 'Natural and Semi Natural Green Space' category. Third highest among the 41 sites identified.
- Visual amenity issue as main bulk still evident from adjacent reserve path and accessway with light spill.
- Noise from gravel drive and construction works.
- Loss of significant portion of garden adjacent to ARBS harms its character (Policy 61)
- Glazing would be 20 to 25 metres from ARBS and would have near-continuous effect of the visible movements within this domestic space.
- Adams Road Bird Sanctuary (ARBS) is a unique habitat within the City. Ensure that any peripheral building development has a minimal effect on its bird life. The following are special bird species of the reserve
  - It is one of only two sites in the City with breeding Reed Warblers; four other species of warblers breed; it is an important site for over-wintering Blackcaps.
  - It has breeding Kingfishers – there are probably only three to four pairs nesting in the city.
  - It has breeding Sparrowhawks and Tawny Owls, Buzzards have nested. Red Kites regularly prospect the site. Peregrine falcons, from the city centre nest site, hunt over the reserve; Water Rail has recently been found here.
  - Little Egrets are regular visitors and may breed; a pair of Grey Heron breeds.
  - It supports uncommon wintering finches – Siskin, Redpoll; Bullfinch breeds here. ARBS is special! The site that attracts both woodland and water birds in an urban location. Lesser-spotted Woodpecker has been seen nearby and ARBS is a typical breeding habitat. It used to be the commonest woodpecker in the City – there are now just three breeding sites in Cambridgeshire and eight

in total in East Anglia. A new house built close to the reserve plus its recreational outdoor space will have a negative effect on its bird life and associated ecosystems in the reserve. Would urge any new build plus permanent peripheral lighting is far enough away from the borders of the reserve to cause minimal effect. ARBS is a unique nature reserve and habitat within Cambridge City.

- The Planning Inspector had highlighted - but the agent/applicant does not refer to -the BCNWT's statement that "part of the site's value for wildlife derives from the buffer created by the large gardens which surround the ARBS which support the breeding, feeding and sheltering requirements of many of the species found within it as they form complementary and supporting habitats" The present application still does bring built form close to the reserve boundary, intruding on the buffer - in fact, because of its east-west alignment, giving a total built form footprint that intrudes more, not less, on the buffer than that of the previous application.
- The areas of built form lying within the 30m curtilage - 350m<sup>2</sup> for the first proposal, vs 370m<sup>2</sup> for the second - are similar, but the second proposal is aligned east-west along the ARBS boundary, and this is significant in considering potential impacts on the ARBS. The total area of built form and hard-standing within the 30m curtilage under the current proposal is between 900 and 950m<sup>2</sup> - a footprint equivalent to that of over 25 typical Victorian terraced houses put together.

7.3 Those in support (4) have cited the following reasons:

- Proposal has addressed previous concerns and is in keeping with the scale and environmental impact of the site.
- The additional documents demonstrate a clear biodiversity gain not loss and that there will be no increased flood risk.
- The site is encumbered by section 29 covenants (as are many of the houses in the area) which allow St John's College to charge on any uplift on commercial development. This has the effect of limiting large-scale building. However, if a College were to buy the site, St John's waives any uplift charges if the building is seen to be of "educational value" and therefore a much larger structure would almost certainly be built, accommodating many hundreds of students. Its effect on the Bird Sanctuary will be far greater than a single family house.
- A single family home would also put an end to future uncertainty over the site for years to come.
- single-family home is acceptable in such a large plot and will have a relatively minor effect on the bird sanctuary.
- The modifications that have been made have reduced its impact.

## 8.0 Member Representations

8.1 Cllr Simon Smith and Cllr Cameron Holloway have made a representation objecting to the application on the following grounds:

- Compliance with policy 69 of the Cambridge Local Plan 2018.

## 9.0 **Local Interest Groups and Organisations / Petition**

9.1 Adams Road Bird Sanctuary (ARBS) have raised the following issues:

- Bat Conservation Trust guidance requires bat transect surveys to be carried out in autumn as standard. September is one of the peak months for bat activity, and surveys should check the peak period for any increase in barbastelle activity. For a site with a rare species (barbastelle) confirmed, it is of particular importance that at the least the minimum level of bat survey effort is carried out to inform proposals. The bat survey data submitted already are therefore insufficient according to the guidelines.
- Regardless of whether the amount of survey work meets BCT guidelines, the activity survey data collected to date actually support the premise that the long garden of 18 Adams Road is an important part of the wider ecological buffer zone surrounding the ARBS
- insufficient evidence provided to give assurance that bats would not be impacted by lighting (and tree removal), given the close proximity of the proposed house to the County Wildlife Site boundary. The importance of this is compounded by the confirmation of the very rare and light sensitive species barbastelle, and the overall value of the bat assemblage recorded within the development area.
- While the proposed lighting scheme seeks to minimise light spill, the figure provided at 2.2.5 from the lighting report still appears to show light levels of between 0.5 and 1.0 lux at the edge of the proposed new tree planting which will form the new boundary along which bats would be expected to fly. These lighting levels exceed those recommended by the BCT guidelines, and in our view there remains a significant likelihood of lighting impacts on bats at this site, in particular on light-sensitive species including the very rare barbastelle.
- The removal of trees and a hedgerow as part of the proposals has the potential to impact upon bat activity, and these impacts do not appear to have been adequately assessed.
- Potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users
- Within the small sites biodiversity metric, amenity grassland habitat has been categorised in the BNG analyses as 'Vegetated Garden'. The UK Hab definition of Vegetated Garden is: 'Garden that is principally vegetated, for example large areas of grass and flower beds'. The extensive (>0.35 hectares in size) expanse of exclusively grassland habitat on the plot would

be much more appropriate to categorise as either 'Modified Grassland' or the new (2023) category of 'Other neutral grassland' (probably the latter) rather than lumped into the same category as small inner-city gardens with lawns adjoining flower beds (the latter often incorporating a fairly high proportion of bare ground). Making this simple (and in our view appropriate) alteration to the biodiversity metric would result in a dramatic swing in results, and would we believe, certainly show a decrease in biodiversity as opposed to the current increase.

- Concern regarding accuracy of plan showing predicted view from Adams Road Bird Sanctuary. ARBS have submitted their own photo mock-up of view from the ARBS.
- Photographic and video evidence of a Great Crested Newt coming from the Garden of 18 Adams Road, into the ARBS.
- The Applied Ecology amendment submitted Jan 2024- deliberately ignores our written expert opinion and photographic evidence of a GCN in the garden of 18 Adams Road. This is a wilful omission. Our extensive report was in the public domain and AE should have recalibrated their amended ecology report.
- The City Ecology Officer assessment (15.01.24) is also unreliable as the officer has not accounted for this photographic evidence or updated his report from planning literature available since
- All our third party representations have been ignored – as clause 10.34 is fundamentally not true. The garden area has significant meaningful value to the amphibian fauna.

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

## **10.0 Assessment**

### **10.1 Planning Background**

10.2 The most recent planning application, reference, 21/01437/FUL for the erection of two dwellings following the demolition of no. 18, was refused at Committee, and was dismissed at appeal.

10.3 Planning application 21/01437/FUL was refused for the following reasons:

1. *The application site is located within the West Cambridge Conservation Area and adjacent to the Adams Road Bird Sanctuary, which is identified as a Protected Open Space and County/City Wildlife Site. The Conservation Area is characterised by generous buildings located within substantial gardens with mature trees and planting. The proposal, which seeks to subdivide the site in order to create two dwelling plots in a tandem*

*layout, would result in a form of development that would be at odds with this spacious character.*

*Additionally, by virtue of the scale, mass, design, lighting impacts and siting of the northernmost dwelling, the development would have a significant adverse impact upon both the character of the Conservation Area and upon the special character, and recreational and amenity value of the ARBS. The proposal would result in moderate less than substantial harm to the Conservation Area and paragraphs 202 and 203 of the NPPF 2021 would therefore be engaged. The public benefit, in contributing one additional dwelling to the housing stock, is considered to be modest and does not outweigh the harm resulting from the development. Consequently, the proposal would be contrary to Policies 52, 55, 56, 57, 61 and 67 of the Cambridge Local Plan 2018 and to the NPPF 2021.*

- 2. The northernmost house would be located in close proximity to the southernmost dwelling. As a result, the latter dwelling would gain little benefit from light, space and views to the north. The application fails to consider the impact that shading from the retained trees would have on the usability of the outside space of the southernmost property. The proposal would therefore result in unreasonable future pressure for additional tree removals to improve light to the property. The application also fails to demonstrate that adequate mitigation can be secured to compensate for the loss of 9 trees proposed to be removed in order to accommodate the development. Consequently, the development would be contrary to Policy 71 of the Cambridge Local Plan 2018 which resists the loss of trees of amenity or other value unless there are demonstrable public benefits that would outweigh the current 21/01437/FUL and future amenity value of the trees.*
- 3. The site lies adjacent to the Adams Road Bird Sanctuary (ARBS), which is designated as a County/City Wildlife Site and is known to host protected species including nesting birds, bats, great crested newts and invertebrates. Due to the proximity of the built form to the ARBS and the significant loss of garden to built form and hardstanding, the proposal would have a major negative impact upon biodiversity within and adjacent to this designated site, and it has not been demonstrated that this can be adequately mitigated against or compensated for. Consequently, the development would be contrary to Policies 69 and 70 of the Cambridge Local Plan 2018, paragraph 180 of the NPPF 2021 and Natural England Guidance.*
- 4. By virtue of the loss of substantial areas of garden land to built form and hardstanding, the proposal fails to minimise the ecological harm resulting from the proposed development nor has it satisfactorily demonstrated that it could secure biodiversity net gain and achievable compensatory measures. Therefore, the development would be contrary to Policy 70 of the Cambridge Local Plan 2018 and paragraph 180 of the NPPF 2021.*

10.4 An appeal was subsequently dismissed on 16th February 2023.

- 10.5 With respect to the first reason for refusal, the Inspector concluded that the appeal property is not listed and does not appear to be of any particular architectural or historic interest. Nonetheless, the appeal property is consistent with the character and appearance of the surrounding area and makes a positive contribution to the conservation area. The proposed dwellings would each be large and set within substantial plots. The layout, design, scale and height of the dwellings would be consistent with the properties in the surrounding area. Furthermore, the dwellings would not be visible from Adams Road. The proposal would not compromise the character or appearance of the CA and would not result in harm to its significance.
- 10.6 With respect to the second reason for refusal, the Inspector noted that whilst mature trees on the site are attractive, by virtue of their location within the centre of the site, they make a limited contribution to the character and appearance of the surrounding area and found that the proposed replacement trees would adequately compensate for the removal of these trees and thus their loss would not be harmful to the character and appearance of the surrounding area and the CA. The AIA indicates that part of the gardens to the southernmost dwelling would be shaded by trees. The Inspector was satisfied that there would be sufficient areas beyond the spread of these trees, so that the resultant amenity space for the southernmost dwelling would not be over-dominated by trees and found no particular evidence that the proposal would lead to pressure to cut back or remove preserved trees in the longer term in order to improve light levels to the property.
- 10.7 With respect to biodiversity and reasons 3 and 4 for refusal, the Inspector found that the proposal would result in a negative impact on biodiversity in the ARBS and thus would not lead to an ecological enhancement or genuine and demonstrable gains for biodiversity. Whilst there may well be a net gain in biodiversity on the site itself, it has not been appropriately evidenced that the proposed on-site BNG measures would mitigate the adverse effects on the ARBS and overall leave biodiversity in a measurably better state than it was before any development took place. Thus, the proposal conflicts with those aims of LP policies 69 and 70 which seek to ensure that ecological harm is minimised, mitigated or compensated and does not have an adverse impact on a site of biodiversity importance. The Inspector also found conflict with paragraph 180 of the Framework which states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused.
- 10.8 With regard to the character and recreational value of the ARBS, the ARBS is screened by vegetation on all sides and separated from neighbouring houses by large rear gardens. This results in a verdant and tranquil character to the ARBS which, in addition to the biodiversity found within the site, appears to form part of its amenity and recreational value. The Inspector concluded that although the proposal would bring built form closer to the boundary with the ARBS, a screen of vegetation would be retained,

which, in addition to proposed planting along the northern site boundary, would partially screen the proposed dwellings in views from the ARBS. Consequently, the proposal was not considered to compromise the special character of the ARBS. Notwithstanding this, the Inspector concluded that the potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users. Consequently, the proposal would conflict with those aims of LP Policy 55 which, amongst other matters, state that proposals should identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site.

10.9 This application differs from the previous refusal in the following ways:

- The existing dwelling at 18 Adams Road is to be retained.
- The proposed dwelling to the north of the existing dwelling is part two storey and part single storey with flat living roofs.
- The proposed dwelling is now further away from the northern boundary and the ARBS with a separation of 10.4 metres.

#### **Principle of Development**

10.10 The proposal is for the erection of a single dwelling and garage in addition to the existing dwelling on site.

10.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

10.12 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 of the Local Plan 2018.

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

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



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

10.14 With this in mind, the principle of the proposal is acceptable subject to satisfaction against the above criteria. This will also be assessed against other relevant policies within the Local Plan 2018 in the below section.

**Context of site, design and external spaces (and impact on heritage assets)**

10.15 Policies 52, 55, 56, 57, 58 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.

10.16 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

10.17 The West Cambridge Conservation Area Appraisal highlights that the area provides an interesting mix of mainly late 19<sup>th</sup> or early 20<sup>th</sup> Century houses, in addition to more modern buildings. The largest Character Area is the Grange Road Area, which is defined by its spacious family houses of the late 19<sup>th</sup> Century, large gardens on generous plots with mature trees and planting and a high ratio of green open space to built area. The Appraisal continues by adding that the layout is notable for the survival of many of the late 19<sup>th</sup> Century residential buildings in their original plots, which tend to be quite narrow but deep, providing large back gardens.

10.18 Policy 67 states that the development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space can be satisfactorily replaced or re-provision located close to the site. The Conservation Area Appraisal identifies the ARBS as a City Wildlife Site which is important for environmental and recreational purposes as well as the biodiversity contained within it.

10.19 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires decision-makers to, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 10.20 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.21 The new proposals retain the existing dwelling at no. 18, and introduce a new, two storey, flat roofed residence to the north. The new dwelling is architecturally appropriate to the site. West Cambridge Conservation Area is characterised by large, individual properties in generous gardens. The siting of this house, which is smaller than that previously proposed on this site in the 2021 application, allows for amenity space around it without compromising no. 18 which is to remain. There will be limited views of the building from Grange Road, through the Trinity Sports Field, and those views are acceptable in terms of the character and appearance of the conservation area. There will be limited if any views from Adams Road. Given its location behind the dwelling of No.18 Adams Road and substantial screening to the south and east of the application site, only limited long range views would be possible (from Adams Road and from Grange Road).
- 10.22 The design of the proposed new dwelling is modernist with the flat roof, rendered elevations, and large areas of glazing. Whilst the overall design has steered away from a traditional approach, the proposal is of high-quality design, resulting in a unique and individual building which draws on the contemporary buildings found elsewhere in the wider context. In comparison to the refused scheme, the height of the proposed building in this plot is somewhat lower than the ridge of the existing building being of two storeys rather than the three previously proposed, and the footprint is smaller, the impact the building will have on the West Cambridge Conservation Area is lessened.
- 10.23 The proposed dwelling would be inset from the northern boundary with the Adams Road Bird Sanctuary by 10.4 metres. It would be approximately 9.3 metres from the eastern boundary and with the drift way – the entrance track to the ARBS. This section of the proposed dwelling would be single storey and would extend rearwards (westwards) to a depth of approximately 15 metres and would be 3.765 metres high.
- 10.24 The proposed dwelling would be further stepped away from the boundary with the ARBS with a section being set approximately 16.7 metres from the boundary. This section would extend a further 23.9 metres rearwards. This section is part single storey and part two storey.
- 10.25 The two storey element is set back approximately 8 metres from the eastern most end of the single storey element. It is also set back by 3.7 metres from the western end of the dwelling. It is also set in from the northern edge of the dwelling by approximately 1.8 metres. The two storey section would be approximately 6.75 metres high. At first floor level facing the ARBS would be windows serving bedrooms and ensuites. The two storey section is to the southern side of the dwelling and the dwelling would present a two storey and single storey elevation to the east. The dwelling would be set

behind its garage. The garage would be set back by approximately 1.5 metres from the eastern boundary and with the drift way – the entrance track to the ARBS.

- 10.26 Although the proposed dwelling has an overall length of approximately 40 metres, the massing has been broken up and the dwelling sits centrally within a large plot with spacing around it and neighbouring properties.
- 10.27 The Design and Access Statement states that the windows will have electronic, black-out, roller blinds that will be used to ensure there is no unnecessary light spillage from the windows in this quiet location. Both levels of the house have green roofs as does the garage. As the materials and the landscaping proposals have been submitted with the application, no conservation conditions are considered necessary.
- 10.28 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 58 and 59 and the NPPF.
- 10.29 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.
- 10.30 In terms of bin and cycle store provision, the proposed dwelling would have both stores located at the plot's frontage. The location and details of which are considered acceptable in accordance with Policy 57 of the Local Plan 2018.
- 10.31 Taking all this into account, it is considered that the proposed development would have an acceptable siting, form, height, layout and design, which responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained that is important to biodiversity interests.

#### **Impact on ARBS and protected open space and Local Nature Reserve**

- 10.32 Several representations have been raised with regards to the impact of the proposal on the character of the ARBS, specifically in terms of noise impacts, light spill and visual impacts, and adverse impacts upon this designated protected open space. The proposed two storey element of the dwelling would be located approximately 16.5 metres from this northern boundary, with the single storey element situated approximately 10.4 metres from this boundary.

- 10.33 A reasonable green buffer zone is proposed which would be approximately 5 metres wide. Details of species specification and mix would be conditioned on any approval granted. The mature trees within the boundary of the ARBS would be unaffected by the construction as demonstrated in the provided method statement within the arboricultural report, which will be conditioned as an approved document on any consent granted.
- 10.34 Whilst representations have raised the importance of the residential garden land which acts as a buffer and fulfills one or more of the criteria of land under Policy 67 of the Local Plan, the current application site is designated as residential garden land and is not vacant, therefore, whilst it may contribute to the biodiversity of the area, it cannot be considered as open space under this policy in its own right.
- 10.35 The proposed dwelling would be partially visible, particularly in the winter months, however the set back within the plot, the low profile scale of the dwelling and the limited light spill would not in the view of Officers result in unacceptable dominating impacts upon the character of the ARBS and would not adversely impact its natural recreational and environmental purposes. Given that this is the case, the proposal is not considered by Officers to have a recreational harm upon the purposes of this wildlife site nor its public contribution and its special characteristics/uniqueness.
- 10.36 Whilst concerns regarding noise impacts are acknowledged, given that the area surrounding the application site is largely residential in nature, comprising gardens and ancillary detached garden rooms, it is not considered that potential noise levels would have such an impact upon the character of the ARBS to warrant refusal of the scheme. To mitigate noise and dust impacts during the construction phase, a construction ecological mitigation plan and restrictions on construction times will be conditioned on any consent granted.
- 10.37 Concerns have been raised with regard to the visual impact upon the ARBS access track and its proximity of such. Whilst the proposal as demonstrated in the supporting documentation would be clearly visible, given the transient purpose of the access to serve users of the ARBS, it is not considered that the proposal would have a detrimental impact upon the character of the ARBS in this instance.
- 10.38 The Inspector concluded that although the proposal would bring built form closer to the boundary with the ARBS, a screen of vegetation would be retained, which, in addition to proposed planting along the northern site boundary, would partially screen the proposed development in views from the ARBS. Consequently, the proposal was not considered to compromise the special character of the ARBS. Notwithstanding this, the Inspector concluded that the potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users.

- 10.39 Whilst obviously any development of the current back garden buffer to the ARBS increases the risk of negatively impacting on the designated site and associated protected species and wildlife areas such as the ARBS may require buffer zones, which extend protection to the animals (invertebrates, birds, mammals) of the core zone, an assessment of the value of the garden as a buffer zone has been made. The fauna reports give an impression of the role this garden plays as a buffer zone in protecting the habitats within the ARBS. In this instance the garden area is not of any meaningful value to the amphibian fauna that inhabit the ARBS as it offers no form of cover for amphibians to shelter and is of low value for invertebrate species. The fauna reports have shown that there are no protected species using this garden habitat and demonstrate that the proposal would have no direct impact on the habitats and associated fauna within the ARBS. In this instance there is no loss of ecological value to the ARBS or its setting. The proposal would minimise ecological harm to populations and habitats within the ARBS by providing planting along the northern boundary approximately 5 metres wide. This is considered to provide suitable mitigation. Details of species specification and mix would be conditioned on any approval granted. A condition will be attached to ensure that the line of this planting and the species is maintained in perpetuity.
- 10.40 Taking all this into account, it is considered that the proposed development would have no adverse impacts upon the character of the ARBS as a protected open space and would not compromise its amenity and recreational value. Therefore, the proposal is compliant with Policies 67 and 69 of the Local Plan 2018 and the NPPF 2023.

### **Biodiversity**

- 10.41 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.
- 10.42 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal and biodiversity net gain assessment for development of land at 18 Adams Road, Cambridge results in an overall net gain of +0.16 habitat units, equivalent to a net gain of +11.01% and an overall net gain of +0.02 hedgerow units, equivalent to a net gain of +13.46%. This is achieved from the proposed landscape scheme, green roofs to the dwelling and native woodland buffer to the ARBS. This will meet the mandatory net gain requirements due for small sites from April 2024.

10.43 Policy 69 of the Local Plan 2018 states that in determining any planning application affecting a site of biodiversity or geodiversity importance, development will be permitted if it will not have an adverse impact on, or lead to the loss of, part or all of a site identified on the Policies Map. Regard must be had to the international, national or local status and designation of the site and the nature and quality of the site's intrinsic features, including its rarity.

Where development is permitted, proposals must include measures:

- a. to minimise harm;
- b. to secure achievable mitigation and/or compensatory measures; and
- c. where possible enhance the nature conservation value of the site affected through habitat creation, linkage and management.

In exceptional circumstances, where the importance of the development outweighs the need to retain the site, adequate replacement habitat must be provided.

Any replacement habitat must be provided before development commences on any proposed area of habitat to be lost.

10.44 The Adams Road Bird Sanctuary (ARBS) is one of a number of designated City Wildlife Sites and County Wildlife Sites based on substantive nature conservation interest against published criteria.

10.45 Paragraph 7.65 supporting text states that development would only be supported where it can be adequately demonstrated that proposals will not have an adverse effect on biodiversity; and that, where required, suitable mitigation measures are acceptable and deliverable. In addition, the potential for the enhancement of the site and adjacent habitats should also be explored. Proposals on or adjacent to a site of local conservation importance should not be granted without proper consideration of the potential to enhance the designated site's biodiversity through enhanced management, habitat creation or the formation of new linkages with adjacent habitat areas.

10.46 Paragraph 7.66 states that where development is proposed within, adjoining or which will otherwise affect a locally designated nature conservation site, comprehensive surveys of the historic and existing biodiversity importance, a professional ecological assessment of the impact of the proposed development and details of measures to protect and enhance the habitat or species identified will be required.

10.47 Policy 70 of the Local Plan 2018 states that development will be permitted which protects priority species and habitats and enhances habitats and populations of priority species. If significant harm to the population or conservation status of a protected species, priority species or priority habitat resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission will be refused.

- 10.48 The existing application site comprises amenity grassland, trees, shrubs and hedgerows. According to the updated Preliminary Ecological Appraisal (PEA), the adjacent City Wildlife Site is designated on the basis of its broadleaved woodland, swamp, marginal vegetation and standing and running water. It is understood that the ARBS is known to host protected species such as nesting birds, bats, great crested newts and invertebrates.
- 10.49 The updated fauna survey shows that there are several species of light intolerant bat foraging and commuting in and around the site, there is some evidence to suggest that there is a likely roost (based on times of calls recorded soon after dusk); although, this is likely located within the Adams Road City and County Wildlife Site.
- 10.50 The updated Bat Conservation Trust guidelines 2023, require reduced survey effort than previous Bat Conservation Trust 2016 guidance and although the necessary three surveys, undertaken to inform the proposals, do not include a recommended autumn survey, the established species assemblage and use by foraging bats of the ARBS and boundary has already been proven by the two spring surveys and appropriate mitigation proposed. To ensure the bat assemblage, including light sensitive species, are not adversely impacted by the development, an ecologically sensitive lighting scheme will be secured via condition.
- 10.51 The application has demonstrated that it can achieve lux levels of 0.1 on the horizontal plane at the boundary with the ARBS and that light from the dwelling would not spill on to the adjacent ARBS. External lighting is proposed to be located to the south of the proposed dwelling, away from the ARBS. An ecologically sensitive artificial lighting scheme will be required by condition to clearly demonstrate that areas to be lit will not disturb light sensitive bat species and not exceed the maximum permitted 0.1 lux level on the vertical plane (before and post curfew) resulting from the development along the boundary of the ARBS. This condition would restrict additional external lighting being installed unless agreed in writing by the Local Planning Authority.
- 10.52 The proposed 5 metre planting zone would be within the application site and light from the proposed dwelling may spill onto it. This buffer is not required as a means of attenuating light spill onto the ARBS. Instead, its role would be to provide protection to the ARBS and the existing route used for foraging and commuting bats.
- 10.53 Details of the tree species, planting details and the maintenance program to ensure the trees are well established will be required by condition. It is understood that the trees would be densely planted so that there would be competition amongst them and as a result they would grow and establish faster. As discussed before a condition is proposed to ensure that the line of the planting is maintained in perpetuity.

- 10.54 Invertebrate surveys show that there are no species present within the site that are nationally rare or in decline; therefore, the report has concluded that there will be no significant impact to the qualifying traits of the Adams Road City and County Wildlife Site. With respect to Great Crested Newts, the Council's Ecologist concurs with Applied Ecology that the likelihood of the current garden habitats representing an important foraging habitat for the Adams Road Bird Sanctuary (ARBS) Great Crested Newt (GCN) population is low, and that the proposed onsite habitats enhancements, including woodland and log piles, could ultimately represent a betterment for this species.
- 10.55 The ARBS have seen a Great Crested Newt using the application site and have provided a photograph and video clip to confirm this sighting evidenced from crossing from the garden at 18 Adams Road into the Nature Reserve, during the daytime in February 2023. The Ecology officer is aware of this video and photograph and has taken this evidence into account in providing their advice. It has not altered their advice in respect of the application and its likely ecological impacts.
- 10.56 To avoid risk to individual Great Crested Newts and other amphibians during construction, a condition will be attached requiring a Construction Ecological Management Plan. This will ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests of the site.
- 10.57 With respect to terrestrial invertebrates, the submitted invertebrate survey has not identified the site as hosting an important assemblage of invertebrates and that the proposed landscape scheme is likely to increase the site value for certain groups. The construction risks to invertebrates can be mitigated through the Construction Ecological Management Plan and onsite habitat enhancement and ongoing maintenance can be secured through the BNG condition.
- 10.58 As discussed previously an assessment of the value of the garden as a buffer zone has been undertaken. The fauna reports show that there are no protected species using this garden habitat and that in this instance the existing garden is not of ecological value. As such the loss of some of the garden land to built form and hardstanding, would not detrimentally harm the ecological value of the ARBS, the adjacent City and County Wildlife Site and would comply with policy 69 of the Local Plan.
- 10.59 The proposed dwelling has also been positioned further from the boundary with the ARBS. The habitat on the application site would be enhanced and a reasonable green buffer of garden area, measuring approximately 10.4 metres would separate the proposed built form of the proposed dwelling which would help to compensate for any loss of vegetation. The planting of trees to the full extent of the northern boundary would also create a tangible 5-metre-wide buffer of vegetation and would create a degree of screening. A biodiversity net gain metric has been provided and a net gain in biodiversity has been demonstrated on the application site and this would



mitigate any effects on the ARBS and biodiversity of the garden would be enhanced through the proposed green buffer and the proposal would overall leave biodiversity in a measurably better state than it was before any development took place. Through the creation of the green buffer zone, habitat would be created with linkages to the adjacent site in accordance with Policy 69(c) of the Local Plan 2018.

- 10.60 The proposed 5 metre planting zone would be within the application site and light from the proposed dwelling may spill onto it. This buffer is not required as a means of attenuating light spill onto the ARBS. Instead, its role would be to protect the ARBS and the existing route used for foraging and commuting bats.
- 10.61 Details of the tree species, planting details and maintenance program to ensure the trees are well established will be required by condition. It is understood that the trees would be densely planted so that there would be competition amongst them and as a result they would grow and establish faster. As discussed before a condition is proposed to ensure that the line of the planting on the northern boundary between the ARBS and the application site is maintained in perpetuity.
- 10.62 To ensure that the role of the garden as a buffer is retained as far as possible and that no built development occurs in this area, a condition restricting permitted development rights under the GPDO 2015 as amended, Schedule 2, Part 1 will be attached. This will relate to extensions to the dwelling under Classes A, B, C and D, the construction of buildings etc in the curtilage of the dwelling under Class E. as well as hard surfaces under Class F.
- 10.63 To conclude, measures to minimise harm to the adjacent City and County Wildlife Site (ARBS) could be secured via a construction management ecological plan condition to limit noise, dust and removal of vegetation outside of active seasons and an ecological lighting design strategy condition and therefore any impacts on the adjacent designated site could be minimised in accordance with Policy 69(a) of the Cambridge Local Plan 2018.
- 10.64 In consultation with the Council's Ecology Officer, subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with Policies 57, 69 and 70 of the Cambridge Local Plan 2018.

### **Trees**

- 10.65 Policy 71 of the Local Plan 2018 states that development will not be permitted which involves felling, significant surgery (either now or in the foreseeable future) and potential root damage to trees of amenity or other

value, unless there are demonstrable public benefits accruing from the proposal which clearly outweigh the current and future amenity value of the trees.

Development proposals should:

- a. preserve, protect and enhance existing trees and hedges that have amenity value as perceived from the public realm;
- b. provide appropriate replacement planting, where felling is proved necessary; and
- c. provide sufficient space for trees and other vegetation to mature.

- 10.66 A total of nine trees would be removed to enable the construction of the proposed dwelling. Following a formal consultation with the Council's Trees Officer, whilst there are no formal objections to proposed tree removals, there is concern that the proposed redevelopment of the site fails to address the detrimental impact retained trees will have on the usability of outside space and the impact of shading on the existing and proposed properties. While the existing house is shaded by the trees towards the south of the site, it currently benefits from the large garden to the north. Useable outside space will be compromised by the new house to the north. This will result in reasonable pressure to allow additional tree removals to improve light to the properties. Plans indicate significant replacement planting but given the extent of existing tree cover, significant tree planting is not considered to be sustainable as this would only further reduce the amount of useable outside space and increase unwanted shading.
- 10.67 It is acknowledged, as demonstrated by the 'proposed site plan with tree survey' that the existing house to be retained would be shaded for some parts of the day. However, small parts of the garden would be subject to no shading and at other times of the day, parts of the patio area would not be subjected to shading.
- 10.68 The Inspector was satisfied that there would be sufficient areas beyond the spread of these trees, so that the resultant amenity space for the existing dwelling would not be over-dominated by trees and found no particular evidence that the proposal would lead to pressure to cut back or remove preserved trees in the longer term in order to improve light levels to the property.
- 10.69 With respect to the replacement tree planting, the majority of the proposed replacement trees would be situated along the northern boundary and would contribute to the green buffer bordering the ARBS. Given the tree planting is to the north it may reduce light levels to the amenity spaces, but it would not create overshadowing and unwanted shade. There is ample garden area to the west of the proposed dwelling. The north facing windows of habitable rooms are sited a distance of approximately 11 metres away and ground floor rooms are also served with south facing windows. Given this intervening distance, a detrimental loss of light to these windows should not result and overall adequate levels of natural light to ground floor rooms

would be achievable and an acceptable living environment for future occupiers would be provided.

- 10.70 It is considered that a replacement tree planting scheme could be deliverable on the site without impacting the usability of the proposed dwelling's internal and external spaces, nor impacting the root protection areas of trees within or adjacent to the site. Therefore, subject to a soft landscaping scheme detailing species choice and specification, the proposal is in accordance with Policy 71 of the Local Plan 2018.

### **Sub-division of garden land**

- 10.71 Policy 52 of the Cambridge Local Plan 2018 protects garden land and the subdivision of existing dwelling plots. The application site would involve the sub-division of one residential plot. The existing plot is of a substantial size, measuring approximately 70 metres deep. It is not unusual to find several dwellings deep within the Grange Road part of the Conservation Area, an example of which include No.14 and No.15 Adams Road. In addition, No.5 Clarkson Road, No.7, No.6 and No.1 Clarkson Close form a north-south axis of residential development in a very similarly sized area to that of the application site. Five dwellings including that of No.4 Clarkson Close occupy this space. Similarly, the layout of the proposed dwellings would be perpendicular to the highway and would effectively result in a development of three dwellings deep when taking into account the neighbouring dwelling of No.19 Adams Road. Therefore, it is not considered that the proposed layout would adversely impact the Conservation Area in accordance with Policy 52, 55, 57 and 61 of the Local Plan 2018 and the NPPF 2023.
- 10.72 The sub-division of the existing residential plot would result in the reduction of No.18's existing garden land. Whilst this is the case, the existing site comprises approximately 4,750 sq. metres, 4200 sq. metres of which is garden land. Whilst the available residential garden land would be reduced, very generous garden spaces around the existing and the proposed dwellings would be maintained. Both gardens would have large areas which would be free of trees and would give a good level of outdoor amenity space. Therefore, it is not considered that proposed development would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2023, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Each garden would
- 10.73 The form and height of the existing and proposed dwellings, whilst distinct from each other, would complement the various designs found within the Conservation Area, where both contemporary and traditional forms comprising of two and three storeys in height are found. Therefore, it is not considered that the proposed dwelling would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2023, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 10.74 With regards criterion c and d of Policy 52, this is discussed in detail within the relevant residential amenity and parking provision sections of the Officer report. With regards criterion e, given the nature of the proposed development and the application site being situated outside of allocated sites for redevelopment, there is no detrimental

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

- 10.75 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.
- 10.76 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 10.77 The proposals include a small basement area, which is to be used for storage and plant only. The applicants have submitted a Flood Risk Assessment of basement groundwater flood risk which summarises the assessment of flood risk from all sources and there is no identification of significant risk.
- 10.78 The Council's Sustainable Drainage Engineer has advised that although, no groundwater flood risk was identified, further groundwater/geotechnical investigations should be carried out at detail design stage and the risk of groundwater egress into the basement and groundwater displacement should still be assessed with detailed investigation and managed accordingly. As this is a minor development it would be acceptable to obtain this information by way of condition along with the drainage conditions foul and surface water conditions which would have regard for appropriate disposal of surface water.
- 10.79 Policy 31 requires all flat roofs to be green or brown providing it is acceptable in the historic environment. In this instance, extensive flat roofs are proposed to the proposed dwelling and green or brown roofs would not detract from the character of the Conservation Area. Therefore, it is considered that this will be conditioned on any approval granted in accordance with this policy requirement.
- 10.80 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

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

- 10.81 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.

- 10.82 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.83 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who raise no objection to the proposal subject to conditions to a contractors parking plan, 2x2 metre pedestrian visibility splays and driveway construction conditions, the proposal is compliant with Policy 81 of the Local Plan 2018.
- 10.84 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **Refuse Arrangements**

- 10.85 Bin stores are considered to be appropriately located with easy direct access to the roadside. Taking into account the dragging distance involved for the occupier of the existing dwelling, it is not considered that the additional distance required for the additional dwelling to the north would be unacceptable in this instance. Therefore, the proposal is considered to be compliant with Policies 56 and 57 of the Local Plan 2018.

### **Car parking and cycle provision**

- 10.86 Car parking
- 10.87 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. 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.
- 10.88 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.

- 10.89 The application site is located outside of the controlled parking zone. The proposed house would accommodate car parking for two cars within a detached garage. Therefore, it is considered that there would be sufficient space within the site for at least two car parking spaces with turning capacity in accordance with Policy 52 and 82 of the Local Plan 2018.
- 10.90 Covered cycle parking would be provided in convenient locations as demonstrated and details of which would be conditioned on any consent granted in accordance with Policy 52 and 82 of the Local Plan 2018.
- 10.91 The bike store would be located to the side of the dwelling in relation to the proposed pool/gym area and is considered to be easily accessible to future occupiers. The location and details of these elements are considered acceptable in accordance with Policy 57 of the Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD.

### **Carbon Reduction and Sustainable Design**

- 10.92 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.
- 10.93 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.
- 10.94 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.
- 10.95 The application documentation sets out that:
- a. Thermal insulation values will be roughly twice current UK standards, and all windows are triple glazed
  - b. A Baufritz house requires only 20% of the energy for space heating compared to a traditional brick built house.
  - c. The materials that will be used are 100% biodegradable.
  - d. The house will store approx. 102 tonnes of CO<sub>2</sub> (calculation basis: 355 m<sup>2</sup> outer wall area and 215 m<sup>2</sup> ceiling area).

- e. Taking into account the CO2 emissions for the manufacturing process, interior construction and technical trades, the net storage volume is approx. 71 tonnes. This means the house will be a carbon store

- 10.96 There are no objections to the proposal subject to conditions relating to carbon reduction technologies and water efficiency.
- 10.97 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **Amenity**

- 10.98 Policy 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.

### **Residential Amenity Impact**

#### *Neighbour impacts*

- 10.99 *Impact on 18 Adams Road*
- 10.100 There is a separation distance between the existing dwelling and the proposed dwelling of 17 metres. There are windows serving habitable rooms on the first floors of the both the existing dwelling and the proposed dwelling. The first-floor windows in the south elevation serve a corridor, a dressing room, a study and seating area. These are secondary windows and/or serve non-habitable room windows, and as such these could be conditioned to be obscured on any consent granted.
- 10.101 *Impact on 16 Adams Road*
- 10.102 Concerns have been raised regarding the visual intrusion on No.16 Adams Road. Whilst extensive areas of glazing are proposed on western elevation of the proposed dwelling, given the substantial distance and intervening mature vegetation, it is not considered that the proposal would result in significant disturbance on account of excessive lighting/illumination. Moreover, as discussed previously, it is considered that the light spill could be further mitigated by conditioning specialist glazing on any approval granted. The proposed dwelling would be 14 metres from the common boundary. Therefore, it is not considered that the proposed dwelling would result in significant overbearing, loss of light or overlooking impacts upon nearby neighbouring dwellings.
- 10.103 Therefore, taking all this into account, subject to conditions, it is considered that the proposal adequately respects the residential amenity of its

neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 35, 52, 55 and 56.

### **Future Occupants**

- 10.104 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).
- 10.105 The proposed dwelling would meet the requirements of a 3-bedroom, 6-person internal space standards in accordance with Policy 50 of the Local Plan 2018.
- 10.106 Garden Size(s)
- 10.107 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. Both the existing property and the proposed property would benefit from a generous sized outdoor amenity space.
- 10.108 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. The Design and Access Statement submitted states the proposal would comply with these standards and therefore, Officers consider that the layout and configuration enables inclusive access and future proofing.
- 10.109 In terms of accessibility of the proposed dwelling, the proposal meets the requirements of Policy 51 (part M4(2) of Building Regulations compliance) by providing a ground floor WCs and level access. Therefore, the proposal is in accordance with Policy 51 of the Local Plan 2018. A condition will be attached to

### **Construction and Environmental Impacts**

- 10.110 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimised through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 10.111 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52 and 57.



### **Third Party Representations**

- 10.112 Issues raised by Third Parties in particular from ARBS have been covered in the preceding paragraphs of this report.
- 10.113 Concern has also been raised regarding the landscaping treatment in particular to the rear garden of the proposed dwelling and the construction of an area of raised lawn and a ha-ha. Aside from the ecological enhancements and tree planting to the buffer and boundary with the ARBS and any biodiversity net gain which would relate to the rear garden and which will be required by condition, how a private garden is landscaped and used in association with the dwelling is not within planning control. Conditions are proposed to be attached to control external lighting and to remove permitted development rights.
- 10.114 The site has been correctly identified in the BNG analysis as 'Vegetated Garden'. The land UK Hab definition of Vegetated Garden is: 'Garden that is principally vegetated, for example large areas of grass and flower beds'.
- 10.115 The site is established residential garden land and as such it cannot fall within any other categories such as 'Modified Grassland' or the new (2023) category of 'Other neutral grassland' as suggested by Third Parties.

### **Other Matters**

- 10.116 The applicant has agreed to the recommended pre-commencement conditions to be attached to any planning consent granted.

## **11.0 Planning balance and conclusion**

- 11.1 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).
- 11.3 The proposed development would preserve the character and appearance of the Conservation Area, through the retention of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers whilst protecting neighbour amenities.
- 11.4 Whilst objections from the Council's Trees Officer are acknowledged, it is considered that on balance, the scheme has demonstrated that the biodiversity interests of the site and adjacent designated site would be both minimised, mitigated and compensatory measures provided in accordance with local plan policies. It is considered that there is sufficient space within the site for a deliverable tree planting scheme whilst not resulting in future pressure for tree removal.

- 11.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

## 12.0 Recommendation

**Approve** subject to:

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

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

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

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

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

- 3 Prior to the commencement of the development a detailed basement ground water impact assessment report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide advice as to whether the development of the site will have any impact upon the ground water based on ground water monitoring. Should the report demonstrate any impact on groundwater, it shall also propose mitigation to be carried out in accordance with a proposed phased programme of implementation. Any mitigation shall be carried out in accordance with approved report and details of timing.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased groundwater flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 4 No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, 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 before the development is occupied.

The scheme shall include:

- a) 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;
  - b) 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;
  - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
  - d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
  - e) Full details of the proposed attenuation and flow control measures;
  - f) Site Investigation and test results to confirm infiltration rates;
  - g) Full details of the maintenance/adoption of the surface water drainage system;
  - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 5 No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of biodiversity protection zones.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timings of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

- 6 No demolition or construction works shall commence on site until a contractors' parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors undertaking the works. The approved parking plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policies 81 and 82 of the Cambridge Local Plan 2018.

- 7 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 shall be provided to the Council for approval.

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 Policy 71 of the Cambridge Local Plan 2018.

- 8 No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) 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; The scheme must be developed and delivered in line with the Landscape Institute's current guidance on plant biosecurity (Biosecurity Toolkit);

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

c) 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.

d) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected including provision for gaps in fencing for hedgehogs.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants (existing retained or proposed) that, within a period of five years after planting (or replanting if previously failed), are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with policies 55, 57, 59 and 69 of the Cambridge Local Plan 2018.

- 9 Prior to the commencement of development above slab level, a scheme for biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog connectivity, log piles, habitat provision and other biodiversity enhancements, including how a measurable net gain in biodiversity will be accomplished, when it will be delivered and how it will be managed. The approved scheme shall be fully implemented within the agreed timescale following the substantial completion of the development unless, for reasons including viability or deliverability, it is otherwise agreed in writing by the local planning authority.

Reason: To provide ecological enhancements in accordance with Cambridge Local Plan 2018 policies 57, 59 and 69, the Greater Cambridge Shared Planning Biodiversity SPD 2022 and NPPF paragraphs 8, 180, 185 and 186

- 10 Prior to the installation of any artificial lighting, an ecologically sensitive artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any existing and proposed internal and external artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels. The scheme shall:

i) identify those parts of the site, especially the ARBS boundary, that are sensitive for bat species and where artificial lighting is likely to cause disturbance along identified important routes used for foraging and commuting.

ii) show how and where internal and external artificial lighting will be installed (through the provision of appropriate vertical and horizontal lighting lux contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb light sensitive bat species using the identified routes

iii) not exceed the maximum permitted 0.1 lux level on the vertical plane (before and post curfew) resulting from the development along the boundary of the ARBS.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures. No additional lighting should be installed without written approval from the Local Planning Authority.

Reason: To ensure light sensitive bat species are not impacted by the proposed development in accordance with Cambridge Local plan policy 70 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 11 Prior to development above slab level, a detailed glazing specification shall be provided and agreed in writing with the Local Planning Authority, detailing the specialist glazing and less than 1 lux lighting zones hereby approved in principle. All development shall be carried out in accordance with these details and retained for the lifetime of the development.

Reason: To conserve ecological interests in accordance with Policies 57, 69 and 70 of the Cambridge Local Plan 2018.

- 12 No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 13 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 14 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 15 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800

hours on Monday to Friday, 0800 hours to 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 16 The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
- a) Levels of carbon reduction achieved at each stage of the energy hierarchy;
  - b) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;
- Where on-site renewable or low carbon technologies are proposed, the statement shall also include:
- c) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and
  - d) Details of any mitigation measures required to maintain amenity and prevent nuisance.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution in accordance with Policies 28, 35 and 36 of the Cambridge Local Plan 2018.

- 17 The dwelling shall not be occupied until a water efficiency specification 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 in accordance with Policies 28 of the Cambridge Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 18 The approved tree protection methodology contained within the Arboricultural Impact Assessment prepared by A.T Coombes Associates Ltd, dated 21

November 2022 and the associated drawings (Appendix 4 - Tree Protection Plan and Appendix 5 Arboricultural Method Statement), 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 ensure that any works undertaken comply with arboricultural best practice and minimise the impact on the tree's health and amenity in accordance with Policy 71 of the Cambridge Local Plan 2018.

- 19 If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Policy 71 of the Cambridge Local Plan 2018.

- 20 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 tree planting. Details are to include number of replacements, species, size, location and approximate date of planting. The replacement planting shall be carried out as approved.

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

- 21 The garage/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, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).



22 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the bin stores provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the refuse for future occupiers in accordance with Policies 56 and 57 of the Cambridge Local Plan 2018.

23 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 in accordance with Policy 51 of the Cambridge Local Plan 2018.

24 The flat roofs hereby approved shall be a Green Roof or Brown Roof unless otherwise agreed in writing by the Local Planning Authority. A Green Roof shall be designed to be partially or completely covered with plants in accordance with the Cambridge Local Plan 2018 glossary definition, a Brown Roof shall be constructed with a substrate which would be allowed to self vegetate. The roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

Reason: To ensure that the development integrates the principles of sustainable design and construction and contributes to water management and adaptation to climate change in accordance with Policies 28 and 31 of the Cambridge Local Plan 2018.

25 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with Policy 31 and 32 of the Cambridge Local Plan 2018 and the NPPF 2023

26 No development shall take place above ground level, until details of the external materials to be used for the walls including details of type, finish and colour of external render/ applied-colour render have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy 58 and 61 of the Cambridge Local Plan 2018.

- 27 No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the Local Planning Authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area in accordance with Policy 61 of the Cambridge Local Plan 2018.

- 28 Prior to first occupation of the dwelling, two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall be within land under the control of the applicant and not within the adopted public highway. The splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 29 The driveway 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. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 30 The access shall be laid out and constructed so that it is 5m wide for the first 10m into the site from the boundary of the adopted public highway (in this case the back of the footway) as described in paragraph 3.2 of the Transport Statement. The drive shall be constructed using a bound material for a distance of not less than 10m from the boundary of the adopted public highway (in this case the back of the footway) to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 31 Any gates must be set back at least 5m into the application site from the boundary of the adopted public highway.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 32 No permanent connection to the electricity distribution network shall be undertaken until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that at least one active electric vehicle charge point will be designed and installed with a minimum power rating output of 7kW for each residential unit.

The approved scheme shall be fully installed before the development is occupied and retained as such.

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 Policies 36 and 82 of the Cambridge Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 33 The line/width of the planting to the northern boundary of the application site as shown on the approved drawings shall be retained in perpetuity. Any trees/shrubs which die or are removed, uprooted or destroyed, shall be replaced with native variety species as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that this green buffer is retained and to assimilate the development into the area and to maintain/enhance biodiversity in accordance with Policy 70 of the Cambridge Local Plan 2018.

- 34 The dwelling hereby permitted, shall not be occupied until the proposed first floor windows in the southern elevation have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties in accordance with Policies 55 and 57 of the Cambridge Local Plan 2018.

- 35 Notwithstanding the provisions 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 development within Classes A, B, C, D, E, F, G, H of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: In order to ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the area in accordance with Policies 57 and 61 of the Cambridge Local Plan 2018.

## 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 SPDs