



<b>Planning Committee Date</b>	3 <sup>rd</sup> July 2024
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	24/01360/FUL
<b>Site</b>	237 Hills Road, Cambridge
<b>Ward / Parish</b>	Queen Ediths
<b>Proposal</b>	Construction of a replacement dwelling and garage following the demolition of the existing dwelling.
<b>Applicant</b>	Mrs Hutchinson
<b>Presenting Officer</b>	Dominic Bush
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Character 2. Amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the construction of a replacement dwelling and garage following the demolition of the existing dwelling.
- 1.2 This application follows an extensive planning history at the site, the most recent of which was an application for the erection of two dwellings, one being a replacement of the existing within the blue and red line land of this application. This application was refused and dismissed at appeal.
- 1.3 This application seeks permission for the erection of the replacement dwelling as proposed within the previous application. The appeal decision for the previous application was dismissed largely due to issues surrounding plot 2 which is the dwelling that has been removed for this application. Indeed, the Inspectors decision raised no concern with the scale and design of plot 1 which is almost identical to the proposed dwelling within this application.
- 1.4 The proposed dwelling within this application is a large two and a half storey detached dwelling that is located behind the building line of properties that front Hills Road. Whilst significantly larger in scale the dwelling is proposed on a similar siting to the existing dwelling of No.237. The application includes a detached double garage with integrated car parking to the front of the main dwelling, utilising the existing access to the site from Hills Road.
- 1.5 Officers recommend that the Planning Committee approve the application subject to the suggested planning conditions.

## 2.0 Site Description and Context

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

\*X indicates relevance

- 2.1 The application site as existing comprises a residential dwelling and its surrounding curtilage. The residential garden of No.237 extends to the south such that its southern boundary adjoins the highway along Hills Avenue, whilst an additional portion of land to the rear of the existing

property has been purchased by the applicant. Within this application, a large portion of this land to the south of the dwelling has been designated as blue line land and is therefore not subject to this application. There are a number of trees within and surrounding the site that are protected by tree preservation orders, although there have been separate tree applications on the site including the removal of T17 which was granted permission in 2022. None of the remaining trees within the red line of the application are protected by a TPO, however T13, T15 and currently T/17 are all protected and within the blue line of the application.

- 2.2 The application site is located within a predominantly residential area, the existing dwelling is surrounded on three sides by neighbouring properties, due to its backland location. To the west of the site, either side of the access to the site are the residential properties that front Hills Road, including the apartment building of Homerton Court. Immediately to the south of the site is the residential garden of No.237, however either side of this are neighbouring properties that front Hills Avenue. On the corner of Hills Avenue and Hills Road are the slightly smaller dwellings of Velen, Calidore and Tirnalía House, whilst to the east along Hills Avenue are the prevailing character is of larger detached dwellings within large plots. To the north of the site is the residential dwelling of No.3 Cavendish Avenue, although, owing to the size of its rear garden, this neighbouring property is a significant distance from the existing dwelling within the application site. Finally, to the east of the site it is largely comprised of the rear residential gardens of the properties along Hills Avenue, however in recent years there is sporadic cases of back land development from along both Cavendish and Hills Avenue that has introduced built form to this area.

### **3.0 The Proposal**

- 3.1 Construction of a replacement dwelling and garage following the demolition of the existing dwelling.
- 3.2 This application is proposing the demolition of the existing residential dwelling within the site and its replacement with a larger dwelling on a similar footprint that is two and a half storey in height plus a basement. The proposed replacement dwelling occupies a total footprint of approximately 15 metres in width and 15 metres in depth with heights of approximately 5.1 metres to the eaves and 8.7 metres to the ridge.
- 3.3 The application is also proposing a detached double garage to the front (west) of the dwelling with a lean-to element attached to this for the parking of cycles for the dwelling. The access to the proposed dwelling, is to utilise the existing access for No.237 which is from Hills Road to the west, with a bin storage area for the dwelling proposed to the south western corner of the building.
- 3.4 The application has been amended to address representations and further consultations have been carried out as appropriate.

3.5 A similar proposal on the same site for two dwellings was brought to Planning Committee on the 29<sup>th</sup> March 2023. The application was refused. This application seeks to address the four reasons for refusal that were given for the previous application.

#### 4.0 Relevant Site History

Reference	Description	Outcome
C/85/0600	Outline application for the erection of a detached dwelling	Approved
21/02357/FUL	Development of 3 No. four bedroom dwellings together with a new carport replacing the existing dwelling and garage	Refused
22/0285/TTPO	TPO application to remove and replace Norway Spruce (T12), Atlas Cedar (T19), Holly (T20) (T2, T3 and T6 on TPO plan).	Accepted as a 5 day notice
22/0329/TTPO	Removal of Pine tree (T11) (T7 on TPO plan)	Approved
22/02657/FUL	Erection of two dwellings with garage, parking, landscaping and associated ancillary works to replace the existing dwelling and garage	Refused (Dismissed at appeal)

4.1 As is displayed within the table above there has been multiple applications on the application site, including the blue line for more than one dwelling. In this instance, the most relevant previous application was that submitted in 2022 (22/02657/FUL). This proposed two dwellings within the site, one within the blue line land to the south of this application site, and the other being a replacement of the existing dwelling, very similar in scale and appearance to that proposed within this application.

4.2 Whilst this application was refused by planning committee on four reasons, the planning inspectors (appendix 1) appeal decision determined that the harm arose from the provision of amenity for future occupiers, and harm to the character of the area, however this focused on Plot 2 which is not proposed within this application. The appeal decision concluded that the design and scale of Plot 1 were acceptable and this application follows for a similar design.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Technical Housing Standards – Nationally Described Space Standard (2015)

Circular 11/95 (Conditions, Annex A)

### **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 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 34: Light pollution control

Policy 35: Human health and quality of life

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

### **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Trees and Development Sites SPD – Adopted January 2009

## **6.0 Consultations**

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

6.2 No objection subject to conditions regarding:

- Traffic management plan
- Heavy construction vehicle access hours

**6.3 Ecology Officer – No Objection**

6.4 No objection subject to conditions regarding:

- Biodiversity net gain
- Ecology enhancement

**6.5 Tree Officer – No Objection**

6.6 No objection to the proposed development subject to conditions regarding:

- Arboricultural method statement and tree protection plan
- Compliance with tree protection methodology
- Replacement planting details
- Compliance with replacement planting

**6.7 Environmental Health –No Objection**

6.8 Comments 03.05.2024:

6.9 Objects to the proposed development due to a lack of information regarding the proposed Air Source Heat pump and its noise impact.

6.10 Comments 07.06.2024:

6.11 No objection to the proposed development subject to conditions regarding:

- Construction hours
- Piling

**7.0 Third Party Representations**

7.1 11 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Impact on and loss of trees
- Flooding
- Car Parking quantity

## **8.0 Member Representations**

Not applicable

- 8.1 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.

## **9.0 Assessment**

### **9.1 Planning Background**

- 9.2 In assessing this current application, officers gave significant consideration to the previously refused application on the site and the appeal decision that was received. As will be detailed in the following sections, the proposed development is considered to overcome the relevant reasons for refusal in the previous application.

### **9.3 Principle of Development**

- 9.4 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.
- 9.5 The proposed development is for the one-for-one replacement of the existing dwelling within the application site. Therefore, the principle of the use of the site for a single residential dwelling has already been established and the proposed development is therefore acceptable in this regard.
- 9.6 The principle of the development is acceptable and in accordance with policy 3 of the Cambridge Local Plan 2018.

### **9.7 Design, Layout, Scale and Landscaping**

- 9.8 Policies 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.

- 9.9 The existing application site comprises a single, detached dwelling that is set within a significantly sized plot, behind the dwellings that front the surrounding roads of Hills Road, Hills Avenue and Cavendish Avenue. Indeed, the surrounding context is made up of predominantly large, detached dwellings that are mostly two or two and a half storey in height. Whilst most of these surrounding neighbouring properties are set within large plots with large private gardens, there are examples of the subdivision of these plots which has resulted in smaller dwellings within more compact plots. Examples of this can be seen to the east of the site with No.6a Cavendish Avenue and No.3 Hills Avenue.
- 9.10 The proposed development involves the replacement of the existing dwelling within this site with a significantly larger dwelling that includes a basement, as well as the subdivision of the curtilage of the existing dwelling.
- 9.11 Officers acknowledge that multiple third-party comments have been received raising concerns regarding the scale of the proposed development within this site. The proposed dwelling is rectangular in form with a footprint that measures approximately 15 metres in width and 11 metres in depth, with a small protruding element to the rear that projects an additional 4 metres to the rear. As noted, officers do not dispute that the proposed dwelling is significantly larger than that it is proposed to replace with regards to its footprint. However, when assessing this in the context of which it sits, it is considered that the footprint is comparable to multiple dwellings within the surrounding context. Whilst most of the larger dwellings within the surrounding area are along either Cavendish or Hills Avenue, by virtue of its siting back from Hills Avenue, officers do not consider that the footprint would appear significantly out of keeping with the area.
- 9.12 Concerns received also concern the height of the proposed dwelling within this application. Firstly, officers note that the height of the proposed dwelling is identical to that of the previously refused application. Within the appeal decision of this previous application, the inspector determined that the eaves are of a similar height to the existing building and the increase in ridge height would not represent a significant increase in the context of the large buildings in the area. It was concluded that the massing of the dwelling would generally be absorbed into the row of large buildings that front the surrounding roads. As such, whilst the increase in size of the dwelling is noted, following the previous appeal decision and the identical height of the proposed dwelling in this application, that the scale of the proposed replacement dwelling is acceptable in this context.
- 9.13 The proposed dwelling within this application is considered to be relatively traditional in its design and form with double fronted gables and small pitched roof rear dormer windows. Minor alterations have been made to the appearance of the dwelling from the previously refused application. Officers do not consider that these would significantly alter the appearance of the dwelling from the appeal decision where it was determined by the



inspector that the dwellings design and appearance was in-keeping with the surrounding buildings. Therefore, the design of the proposed dwelling is considered to be acceptable in this context.

- 9.14 This application is also proposing the erection of a detached double garage to the west of the dwelling, with cycle parking integrated within this structure. The total footprint of the garage and cycle parking measures 6 metres in depth and 9 metres in width, with a total ridge height of 4.1 metres. Therefore, officers consider that this proposed outbuilding would be clearly subservient to the main residential building and that within the surrounding area there are multiple other examples of detached garages of a similar scale. The scale and traditional appearance of this structure are therefore considered to be acceptable in this context.
- 9.15 The proposed development would result in the subdivision of the existing residential curtilage of No.237, with the southern portion of the site including within the blue line of the application. This would reduce the size of the plot for any dwelling within the site, however officers do not consider that the resulting residential curtilage would be out of keeping with the surrounding area. With examples of smaller plots found at the neighbouring backland plots along Cavendish and Hills Avenue.
- 9.16 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 55, 56, 57, 58 and 59 and the NPPF.

### **9.17 Amenity**

- 9.18 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.
- 9.19 Neighbouring Properties
- 9.20 Impact on No. Homerton Court
- 9.21 The proposed replacement dwelling is located to the northeast of the apartment building of Homerton Court. There are a number of windows within the rear elevation of this building that would face onto the proposed dwelling and there would, therefore, be a minimal impact on the amenity of these neighbouring flats.
- 9.22 The front facing windows of the proposed dwelling would face in the direction of this neighbouring building. However, as was determined previously, the windows would not face directly onto the rear garden space of the apartment building. Rather the windows are off-set approximately 3 metres to the north and 4 metres from the shared boundary. As a result, there would be a certain level of overlooking to the rear garden of the

apartment block, however this harm is considered to be moderate to low. The distance from the front elevation of the proposed dwelling and the rear elevation of Homerton Court is approx. 21 metres, which, in addition to the vegetation between the two is considered to ensure that any impact in terms of loss of light, overbearing and loss of privacy is considered to be acceptable.

9.23 Impact on No.235 Hills Road

9.24 The distance of the proposed dwelling from the rear elevation of No.235 is considered to be such that, in combination with the scale of the dwelling, that it would not cause significant harm to the neighbouring property through loss of light or overbearing. Regarding any potential loss of privacy, the windows within the front elevation of the proposed dwelling would only have oblique views to the neighbouring property. The siting of the proposed detached garage structure would also provide a level of screening to the rear garden of No.235 which would ensure that there is no objection to the proposal regarding overlooking to this neighbouring property.

9.25 Impact upon No.3 and No.4a Cavendish Avenue

9.26 The proposed dwelling would present a side elevation to the rear boundary of both these neighbouring properties. However, the proposed dwelling would be inset by approximately 4.5 metres from the common boundary. While the distance to the common boundary from 3 Cavendish Avenue is 29 metres and from 4A Cavendish Avenue the distance is 22 metres.

9.27 The proposal includes two, first floor north facing windows that would face in the direction of these neighbouring properties. One of these windows is within the side of the front facing gable that serves a bedroom and the other is within the main side elevation that serves an ensuite. A condition to ensure that these would obscure glazed is considered to be sufficient to ensure that they would not result in any loss of privacy.

9.28 Impact upon No.4 Cavendish Avenue

9.29 The proposed replacement dwelling would overlook the far end of the garden of 4 Cavendish Avenue. There would be 4 rear bedroom windows and a one-bathroom window facing east. However, No. 4 Cavendish Avenue has a rear garden depth of some 45m.

9.30 The proposed new dwelling has a rear garden depth at its closest of approximately 8.97 metres. This is between the two-storey rear outshot and the common boundary to the east. The remaining section of rear garden is inset by approximately 12 metres (housing the 4 rear bedroom windows). Given this offset from the common boundary with 4 Cavendish Avenue, it is considered that there would not be a significant detrimental loss of amenity and privacy through overlooking into the most usable parts of the garden space of 4 Cavendish Avenue or the dwelling No. 4

Cavendish Avenue itself. The owner of this property has raised concerns regarding overlooking and detrimental loss of privacy. However, as the closest first floor window serves an ensuite. On balance, it is not considered a significant loss of residential amenity would occur.

- 9.31 Officers must also consider the previously refused applications on the site, none of which were refused due to overlooking from the dwelling proposed on the same location as this application.
- 9.32 Impact upon No.1 Cavendish Avenue
- 9.33 The proposed dwelling would be to the north of the rear garden of this property. Given the location of the flank and rear building lines of the proposed dwelling, only very oblique views towards the rear most garden space would be available. Overall, the proposed development is not considered to harm the amenities of this neighbouring property.
- 9.34 Future Occupants
- 9.35 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).
- 9.36 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	4	8	3	130	469	+339

- 9.37 Garden Size(s)
- 9.38 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.
- 9.39 The proposed development includes the provision of a private residential garden that surrounds the dwelling to the north, east and south. In total this garden measures approximately 370sqm. This is considered to be a sufficient size for a dwelling of this size and would not be significantly overlooked by any of the neighbouring properties.
- 9.40 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. A condition will be attached to ensure that the proposed dwelling complies with M4(2) regulations.

9.41 Construction and Environmental Impacts

9.42 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

9.43 The Council's Environmental Health team have assessed the application and initially objected to the proposed development due to the potential impact of the proposed Air Source Heat pump with a lack of information provided to determine otherwise. The proposed heat pump has since been removed from this application and further comments received from the Councils environmental health officer. These comments raised no objection to the proposed development subject to conditions regarding construction hours and piling. Given the proximity of the site to neighbouring properties, these conditions are considered to be reasonable and necessary.

9.44 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, 53, 57 and 58#.

**9.45 Trees**

9.46 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 136 of the NPPF seeks for existing trees to be retained wherever possible.

9.47 The application site includes and is surrounded by a number of mature trees, of which a number are protected by individual tree protection orders. This application is proposing the removal of a total of 4 trees within the application site, all of which are classified as category C trees within the arboricultural impact assessment provided by the applicant. Additional works are proposed to two other category C trees comprising partial pruning and removal.

9.48 The Council's tree officer has been consulted on this application and in line with their comments, the removal and works to the trees proposed would not have a material impact on the visual amenity of the site. Further information is requested by way of conditions requiring the submission of an arboricultural method statement and tree protection plan, compliance with this as well as details of replacement planting. These conditions are considered be necessary to ensure that the impact of the proposed development on surrounding trees which are of significant amenity value is acceptable, and that replacement planting due to the removal of trees is acceptable.

9.49 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

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

- 9.51 The Councils' 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. Policy 28 of the Cambridge Local Plan (2018) requires development to reduce carbon emissions and to achieve a minimum water efficiency to 110 litres pp per day. As such, conditions would be attached to any permission regarding water efficiency and carbon reduction which are considered to be necessary to ensure that the proposed development complies with the above policy requirement.
- 9.52 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.

## **9.53 Biodiversity**

- 9.54 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.
- 9.55 This application is required to achieve a biodiversity net gain of 10%. Further information has been provided regarding this during the process of the application. The metric provided highlights that within the site, the proposal is capable of providing a net loss of 0.0368 habitable units, equivalent to -33.34%. In line with the comments received from the Councils ecology officer, due to the restricted site size and the difficulties in achieving on site net gain with vegetated garden classification, the use of offsite provision is considered to be acceptable. The applicants have been approached to understand whether this provision could be secured within the blue line land within the applicant's control. The statutory BNG condition is appended to the recommendation.
- 9.56 In consultation with the Council's Ecology Officer, subject to an appropriate condition, 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 57, 69 and 70 of the Cambridge Local Plan (2018).

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

- 9.58 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.
- 9.59 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 9.60 No comment has been received from the council's drainage officer on this application. However, due to the scale of the proposal, in addition to the low flood risk of the site, it is considered that this application is acceptable and flood risk can be controlled via the water efficiency condition.
- 9.61 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.

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

- 9.63 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.
- 9.64 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.65 Access to the site would be through the existing access to the current dwelling within the site. No alterations are proposed to this access.
- 9.66 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions regarding a traffic management plan and limiting hours of access for heavy construction vehicles. Given the relatively constrained access to the site, and the lack of available parking within the surrounding area, a traffic management plan condition is considered to be reasonable to ensure that the impact resulting from the construction works would be acceptable.
- 9.67 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **9.68 Cycle and Car Parking Provision**

- 9.69 Cycle Parking

- 9.70 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.71 Amendments have been received through the process of this application to locate the proposed cycle parking to the front of the dwelling alongside the proposed garage. The plans show that there would be space for the parking of 5No. bicycles within a covered secure enclosure, the location of the cycle parking is to the east of the garage and therefore is considered to be more convenient than the car parking provision. A compliance condition will be attached to ensure the provision of this cycle parking.
- 9.72 Car parking
- 9.73 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. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size.
- 9.74 The provided plan show that there are two car parking spaces provided within the proposed detached garage to the front of the dwelling with EV charging shown within the proposed site plan. As the site is located outside of a controlled parking zone, this level of car parking is considered to comply with the maximum standards set out in Appendix L and Policy 82 of the Local Plan.
- 9.75 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.
- 9.76 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

## **9.77 Planning Balance**

- 9.78 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).
- 9.79 The proposed development would preserve the character and appearance of the surrounding area, through the high quality replacement 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.
- 9.80 Whilst objections from third parties regarding neighbouring amenity impacts are acknowledged, it is considered that on balance, the impact of the proposed development on the amenity of neighbouring properties would not be significant and is acceptable in this instance.
- 9.81 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

## **10.0 Recommendation**

### **10.1 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) No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.



The principal areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

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

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

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

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

- 6) No development above ground level shall take place until an ecological enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog provisions and other ecological enhancements. The approved scheme shall be fully implemented prior to first occupation or in accordance with a timescale agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan policies 57, 59 and 70 and the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022).

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

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

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

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

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

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution

(Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 9) In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

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

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

- 10) Please add a condition requiring that demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -16.00hrs, Monday to Saturday.

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

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

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

- 12) Trees will be planted in accordance with the approved planting proposal. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place,

or in accordance with any variation for which the Local Planning Authority gives its written consent. Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

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

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

- 14) The development, hereby permitted, shall not be occupied until the proposed First floor windows in the northern and southern elevation of the development 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 (Cambridge Local Plan 2018 policies 55, 57/58).

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

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

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

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

17) A minimum of 1 no. parking space proposed will be equipped with EV charge points in line with the requirements of building regulations approved document S prior to the occupation of the dwelling hereby approved and shall be maintained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

**Statutory BNG Condition:**

18) Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).