



<b>Planning Committee Date</b>	6 November 2024
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	24/00962/FUL
<b>Site</b>	Plots 312 and 313, Parcel BDW5/6, Darwin Green 1, Land between Huntingdon Road and Histon Road, Cambridge
<b>Ward / Parish</b>	Castle
<b>Proposal</b>	Amendments to Plots 312 and 313 and the parking for plots 314 and 315 of Darwin Green parcel 5/6
<b>Applicant</b>	BDW Eastern Counties
<b>Presenting Officer</b>	Charlotte Burton
<b>Reason Reported to Committee</b>	Third party representations have been received which are contrary to the officer recommendation of approval.
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Impact on residential amenity of neighbouring properties</li><li>2. Proposed site levels</li><li>3. Impact on existing hedge boundary</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions and Unilateral Undertaking

## 1.0 Executive Summary

- 1.1 The application seeks approval for amendments to Plots 312 and 313 and the parking for plots 314 and 315 as approved by the reserved matters consent for parcel BDW5/6 on the Darwin Green 1 development. This is to address a condition on the reserved matters consent which required alternative elevations to be submitted for Plot 312 in the interests of protecting the residential amenity of existing neighbouring properties at Cavesson Court.
- 1.2 The current application makes further changes to the layout of Plots 312 and the adjacent Plot 313 to improve the relationship with neighbouring properties. The plots have been moved further from the boundary and Plot 313 has been reorientated. This has associated implications for the landscape and parking arrangements. During the course of the application, further improvements were made to the scheme to provide cycle parking to the front of the buildings in a split-store approach.
- 1.3 Third party representations have requested further information on the proposed site levels and the proposals for the future maintenance of the existing hedge along the boundary. These have been addressed during the course of the application and are discussed in the report.
- 1.4 The proposal would achieve high quality development in terms of urban design and landscaping, and would meet sustainability targets for carbon reduction and water efficiency. The proposed dwellings would provide accessible homes compliant with Building Regulations requirement part M4(2). Mitigation measures would be secured by conditions to protect residential amenity, existing trees and hedges, and ecology during construction.
- 1.5 The reserved matters consent for the BDW5/6 parcel was determined by the Joint Development Control Committee (JDCC) in December 2021. The relevant planning condition was added to the recommendation by the JDCC. The current application is for minor development and therefore does not fall within the remit of the JDCC under the Terms of Reference. Hence, the application falls within the remit of the Planning Committee and has been referred in accordance with the Scheme of Delegation due to third party representations contrary to the officer recommendation.
- 1.6 Officers recommend that the Planning Committee approve the application subject to planning conditions and a Unilateral Undertaking to link the planning permission to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development

## 2.0 Site Description and Context

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

Listed Building		Flood Zone	1
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 site comprises the land area for plots 312 and 313 as well as the adjacent areas of car parking (including also for plots 314 and 315) and landscaping. These plots are located on the south eastern boundary of the BDW5/6 parcel and the Darwin Green 1 site. The red line area of the application site includes access from the public highway (Histon Road) along the approved primary road. The site area as stated on the application form is 0.87 hectares.
- 2.2 The BDW5/6 parcel is a residential area (including open and play spaces) within the wider Darwin Green 1 development which has outline planning permission for up to approximately 1,500 homes, a local centre, amenities and open space. The development is currently under construction and earlier phases have been occupied for some time. Construction of the BDW5/6 parcel is underway in two phases with the northern phase currently being constructed.
- 2.3 To the north of the site are allotments within the BDW5/6 parcel. To the south is the green corridor including pedestrian and cycle links, drainage infrastructure, play spaces and landscaping, which was approved under the infrastructure reserved matters consent. To the west of the site are terraced dwellings fronting the corridor.
- 2.4 To the east are existing neighbouring properties at Cavesson Court. This is a residential cul-de-sac. Immediately adjacent to the site and sharing a boundary are numbers 14 and 19 Cavesson Court. These are two storey semi-detached dwellings set back with front and rear gardens. Detached single storey garages are situated to the front of the properties.

### **3.0 The Proposal**

- 3.1 The proposed description of development is for amendments to Plots 312 and 313 and the parking for plots 314 and 315 as approved by the reserved matters consent for parcel BDW5/6 on the Darwin Green 1 development.
- 3.2 Plots 312 and 313 are two-and-a-half storey dwellings. One would be 4-bedroom and the other would be 5 bedroom. The same house type is proposed as the approved scheme. The proposal for Plot 312 includes brickwork detailing to address the requirements of the reserved matters condition, as described further in paragraphs 4.2 and 4.3 below.

- 3.3 Compared to the approved scheme, the dwellings have been moved further away from the boundary with existing neighbouring properties and the cul-de-sac has been shifted westwards to allow for longer rear gardens. Plot 313 has been rotated. There have also been some associated changes to the car parking and landscape proposals as a result.
- 3.4 During the course of the application, amendments were submitted to address comments from the Urban Design team with respect to cycle stores which have been provided to the front of the dwellings in a split store arrangement. In addition, additional windows have been proposed to enhance surveillance of parking areas. Further information has been provided on proposed levels.

#### 4.0 Relevant Site History

- 4.1 There is an extensive planning history relating to the Darwin Green 1 development which can be viewed on the public register. The applications that are relevant to the current application are summarised below:

Reference	Description	Outcome
07/0003/OUT	Mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.	Approved subject to conditions and S106 Agreement
21/03619/REM	Reserved matters application for fifth and sixth housing phases and Allotment 3 (collectively known as BDW5 and 6) including 410 dwellings and allotments with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include access, appearance, landscaping, layout and scale and the related partial discharge of conditions 8, 10, 14, 22, 25, 26, 27, 29, 35 and 58 pursuant to outline approval 07/0003/OUT.	Approved subject to conditions
21/03619/NMA1	Non Material amendment of reserved matters application 21/03619/REM (Reserved matters application for fifth and sixth housing phases and Allotment 3 (collectively	Approved

known as BDW5 and 6) including 410 dwellings and allotments with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include access, appearance, landscaping, layout and scale and the related partial discharge of conditions 8, 10, 14, 22, 25, 26, 27, 29, 35 and 58 pursuant to outline approval 07/0003/OUT) Addition of substation outside Plot 198

21/03619/COND6	Submission of details required by condition 6a (Modification condition (details submitted for plot 197) of reserved matters application	Condition part-discharged
24/00961/FUL	New dwelling (Plot 202) and amendments to plots 202-205 and 209 of Darwin Green parcel 5/6	Resolution to grant consent

4.2 The reserved matters approval for the BDW5/6 parcel (21/03619/REM) included the following planning condition which was added to the recommendation by Members of the Joint Development Control Committee when the application was considered in December 2021:

*6. Notwithstanding the approved plans, no development above ground level shall take place until revised a) plans and elevations for plots numbers 197 and 312 and b) plans showing the removal of plot 202 are submitted to and approved in writing by the local planning authority.*

*Reason: To protect the amenity of occupiers of adjoining properties, in accordance with Cambridge Local Plan 2018 policies 56 and 57.*

4.3 The current application is relevant to part a of the condition in respect of plot 312. It provides the revised plans and elevations for Plot 312 and proposes further changes to the layout of this plot and the adjacent Plot 313 to address the reason for the condition relating to the residential amenity of adjoining properties.

4.4 The other parts of condition 6 are separate matters.

## 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 5: Sustainable transport and infrastructure

Policy 14: Areas of Major Change and Opportunity Areas

Policy 20: Land between Huntingdon Road and Histon Road

Policy 27: Site specific development opportunities

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 42: Connecting new developments to digital infrastructure

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 65: Visual pollution

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  
Policy 85: Infrastructure delivery, planning obligations and the Community  
Infrastructure Levy

### 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  
Health Impact Assessment SPD – Adopted March 2011  
Landscape in New Developments SPD – Adopted March 2010  
Open Space SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009

### 5.5 **Other Guidance**

N/A

## 6.0 **Consultations**

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

6.2 From the perspective of the Highway Authority the proposed amendments to the car parking arrangements for Plots 134 and 315 will not adversely affect the operation of the proposed adopted public highway

### 6.3 **Lead Local Flood Authority – No Objection**

6.4 The layout changes associated with the redesign of Plots 312 and 313 does not impact the impermeable area for the catchment and remains at 0.070ha as previously proposed. The applicant highlights that there are no proposed changes to the general principles of the surface water drainage network and does not impact upon the approved surface water drainage network designed for the wider BDW 5/6 site.

6.5 Recommend conditions for detailed surface water drainage scheme and construction drainage scheme. Recommend informatives for Ordinary Watercourse Consent, pollution control and construction surface water maintenance.

**6.6 Urban Design and Conservation Team – No Objection**

6.7 The layout and overall design complements the approved BDW5/6 parcel and build on principles within the wider Darwin Green 1 outline consent and approved Design Code. Building heights are compliant with the approved outline consent parameter plan. Looser grain and more suburban character responds to the guiding design principles of ‘lower density’ character areas. Building arrangements support a legible structure for the wider development.

6.8 Amendments have addressed the request for split cycle store approach to provide a better balance between functionality, convenience, and visual integration, while also reducing visual obstruction from front windows. However, clarification of materials for the walls and roof of the stores is required, and a wall mounted bar rather than a Sheffield hoop within the stores would provide a useable space for two bikes to be stored. Recommend these could be secured by condition.

6.9 Amendments have also addressed the request for further refinements are also required for Plot 313 to introduce windows into the northern gable to create good levels of natural surveillance of the adjacent parking area and to add visual interest to an otherwise blank elevation visible from the public realm.

6.10 Recommend conditions for materials and brick types to match those agreed through the reserved matters consent for BWD5/6 parcel.

**6.11 Landscape Officer – No Objection**

6.12 No objection to the principle, layout and purpose of the proposals. Very little landscape information has been provided but a marginal increase in street tree planting may be possible to the frontages of the new units. Recommend standard condition for hard and soft landscape details.

**6.13 Environmental Health – No Objection**

6.14 Required additional information on noise impact assessment for air source heat pumps. Reviewed plan showing the location of air source heat pumps and the noise impact calculations, which are sufficiently low. Recommend a noise compliance condition.

6.15 Contaminated land conditions on the Darwin Green 1 outline consent have been discharged across the wider site. Recommend standard unexpected contamination condition.

6.16 No objection in terms of air quality as the provision of heating and hot water is wholly electric with no combustion emissions to air, and each plot will have an active electric vehicle charging point.



6.17 Recommend standard construction/demolition/delivery hours and piling conditions.

## **7.0 Third Party Representations**

7.1 Representations from the owner/occupiers of 3 properties have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (impacts on overlooking and privacy, enclosure and overbearing)
- Ground raising and site levels (residential amenity and flooding)
- Assessment and impact on and loss of trees/hedges
- Fencing and impact on biodiversity
- Large amount of application documentation
- Flooding
- Ownership of the hedge

7.3 Those neutral comments have cited the following reasons:

- Request removal of permitted development rights for rear extensions

## **8.0 Member Representations**

8.1 N/A

8.2 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.

## **9.0 Assessment**

### **9.1 Principle of Development**

9.2 The principle of residential development on the site is established by the site allocation for Land between Huntingdon Road and Histon Road (Policy 20 of the Cambridge Local Plan 2018), the Darwin Green 1 outline consent (07/0003/OUT).

9.3 Furthermore, there is a fallback consent for two dwellings on Plots 312 and 313 approved in the reserved matters consent for BDW5/6 parcel (21/03619/REM). This is a material consideration which further supports the principle of two residential units on this site.

### **9.4 Housing Provision**

9.5 Policy 45 of the Cambridge Local Plan requires residential development of 15 units or more to provide a minimum of 40% of affordable housing. The proposed development is for 2 market houses and therefore affordable housing is not required.

- 9.6 Notwithstanding this, the Darwin Green 1 outline consent secures 40% affordable housing across the wider site, including approximately 40% on the BDW5/6 parcel. These plots are market homes in the approved BDW5/6 reserved matters so the current proposal does not affect the overall tenure split.
- 9.7 Policy 45 states developments should include a balanced mix of dwelling sizes, types, and tenures to meet projected future household needs within Cambridge. Whilst not being prescriptive, Policy 45 requires dwelling mix and tenure types to have regard to the different needs for different unit sizes of affordable and market housing.
- 9.8 The Darwin Green 1 outline consent seeks to achieve a balanced housing mix across the whole site. These plots are 4 and 5 bedroom homes in the approved BDW5/6 reserved matters. The current proposal is for the same house types so the current proposal does not affect the overall housing mix.
- 9.9 For these reasons, officers are satisfied that the proposal is acceptable and accords with Policy 45 of the Local Plan and the Greater Cambridge Housing Strategy 2019-2023.
- 9.10 **Design, Layout, Scale and Landscaping**
- 9.11 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.
- 9.12 The proposed dwellings are arranged around a similar road layout to the approved reserved matters scheme, albeit the cul-de-sac has been moved westwards to allow longer rear gardens for the dwellings adjacent to existing neighbouring properties. Plot 313 has been rotated to front the cul-de-sac rather than the green corridor as per the approved scheme. This is acceptable.
- 9.13 The Design and Access Statement explains how the proposal follows the approved outline Design Code and parameter plans, notwithstanding that strict compliance is not required for this standalone full planning application. The proposal would use the same two-and-a-half storey house types which were assessed to be compliant with the building heights parameter plan in the approved reserved matters. This is acceptable.
- 9.14 In terms of density, the Urban Design team has commented that the domestic height and detached forms proposed create a looser grain and a more suburban character that responds to the guiding design principles of the 'lower density' character areas in the Design Code which this area falls within. The number of dwellings on this site area would be the same as per the approved reserved matters scheme. This is acceptable in design terms.

- 9.15 The proposed arrangement supports a legible structure for the wider development. Plot 312 forms a positive visual terminus to views looking east. Plot 313 has been rotated to front cul-de-sac rather than the green corridor as per the approved scheme. While this arrangement does reduce the frontage and surveillance onto the green corridor to some degree, the proposed orientation does provide surveillance onto the footpath from the cul-de-sac to the corridor and provides some degree of surveillance in oblique views along the corridor. This is acceptable. In addition, during the course of the application, a window was added to the northern side elevation to provide some surveillance of the parking area within the cul-de-sac as requested by the Urban Design team.
- 9.16 Materials for the dwellings are shown in the Design and Access Statement. The dwellings would be light red brick with a red-brown clay roof tile. This is in line with the principles of the approved scheme. The proposed materials are acceptable and a condition is recommended for materials and brick types to match those agreed through the reserved matters consent for BWD5/6 parcel (**condition 15 – materials and brickwork**).
- 9.17 The proposals include textured brickwork on the first floor rear elevation of Plot 312 as required by the condition on the reserved matters consent. This is supported in urban design terms and provides some interest and visual relief to the elevation facing the existing neighbouring property. Textured brickwork is also proposed on the front elevation of Plot 313 which is supported.
- 9.18 Landscape proposals have been submitted including tree planting to soften an area of car parking and enhance the public realm. This is similar to the approved scheme albeit the arrangement has taken account of the amended cul-de-sac layout. The Landscape Officer has recommended a condition for a detailed hard and soft landscaping scheme (**condition 13 – hard and soft landscape**). This advice is accepted. A condition is also recommended for landscaping materials to be the same as those agreed through the reserved matters consent for BWD5/6 parcel (**condition 15**). Standard conditions are also recommended for replacement planting (**condition 14 – landscape replacement**).
- 9.19 Cycle stores are proposed to be located within the front garden wall of each house, with a second cycle store and bin store in the garden. The plans show brick cycle stores with sloped roofs and timber bin stores. While the general arrangement is supported, **condition 16 – cycle stores** is recommended to secure detailed drawings of the bike and bin stores. A separate **condition 17 – green roof** is recommended to ensure any structures with a flat roof (or shallow sloped roof) is a green biodiverse roof.
- 9.20 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. Subject to the recommended conditions, the proposal is compliant with Local Plan policies 55, 56, 57, 58 and 59 and the NPPF.
- 9.21 **Trees**

- 9.22 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. Paragraph 136 of the NPPF seeks for existing trees to be retained wherever possible.
- 9.23 During the course of the application, a tree survey, arboricultural implications assessment (AIA), arboricultural method statement (AMS) and tree protection plan (TPP) were submitted. The tree survey identified mixed species and Hawthorn groups, individual Hawthorns and a Yew specimen in the hedging along the boundary. The proposed fence posts would encroach into the root protection area of the hedging, requiring hand excavation would be carried out in these areas. Some parts of the hedge would also need to be cut back by approximately 1 metre to provide sufficient clearance for the installation of the fence. Further minor pruning is also proposed to re-shape and remove brambles, as the hedge has not been recently maintained. The Yew tree would not be affected. This is acceptable and **condition 10 – tree protection** is recommended to secure compliance with these details.
- 9.24 Regarding ongoing management and maintenance of the hedging, this would be the responsibility of the future occupiers of Plots 312 and 313. The landscape proposals show a 1.2 metre high post and rail fence with galvanised wire mesh attached on the hedge side (leaving a 130mm gap at the base for animal access to the hedge). This is acceptable and a similar arrangement for hedges in the wider BDW5/6 parcel and the reserved matter consent fallback situation.
- 9.25 During the course of the application, the developer offered to transfer ownership of the hedge to the relevant residents and to include a commitment to this within the Unilateral Undertaking. Officers recognise that this could provide a potential benefit to residents, however do not consider such an obligation would meet the relevant tests set out in the in regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 and 2019 Regulations). The relevant tests are described in paragraph 9.103 of this report. The transfer of ownership is not considered necessary for the ongoing management and maintenance of the hedge as the proposed arrangements for the future occupiers of the proposed dwellings is considered acceptable for the reasons given in the paragraph above. Therefore, the obligation is not necessary to make the development acceptable in planning terms and fails to meet the relevant tests. Nonetheless, the applicant could still offer to transfer ownership separate from the current planning application.
- 9.26 For these reasons, subject to the recommended conditions, the proposal would accord with Policies 59 and 71 of the Local Plan.
- 9.27 **Carbon Reduction and Sustainable Design**
- 9.28 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise

their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 9.29 Policy 28 of the Local Plan 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 relative to Part L 2006 (equating to a 19% reduction compared to 2013 Building Regulations Part L).
- 9.30 Policy 29 of the Local Plan 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.
- 9.31 The application is supported by a Sustainability Statement. The proposed plots are designed to achieve carbon emissions in line with Future Homes Standard through the adoption of good fabric performance and employment of low and zero carbon technologies including air source heat pumps. The proposed dwellings exceed the planning policy requirement of 19% reduction in carbon emissions beyond Part L 2013 by being designed to comply with Future Homes Standard, which represents a 75% reduction in carbon emissions beyond Part L 2013. The use of smart meters will provide occupiers with real time data to manage their energy consumption. This is supported.
- 9.32 The Sustainability Statement confirms the following renewable energy technologies are proposed: photovoltaic panels, decentralised mechanism extract ventilation, waste water heat recovery and air source heat pumps to meet the Future Homes Standard. Hot water cylinders and distribution pipework will have high levels of insulation. Lighting provision will be from LED low energy fittings. Smart meters will be installed on all properties. This supported. A standard condition is recommended to ensure these technologies are implemented (**condition 19 – implementation of carbon reduction technologies**).
- 9.33 Water efficiency has been reviewed as part of the design process and the Sustainability Statement confirms a Building Regulations Part G compliant specification will be adopted, resulting in the higher standard (lower water use) of 110 litres/person/day. This is supported. A standard condition is recommended to ensure water efficiency measures are implemented in accordance with the optional requirement as set out in Part G (**condition 20 – water efficiency**).
- 9.34 All homes are dual aspect and two storeys or more, and benefit from private gardens to allow good ventilation. The dwellings are orientated with windows approximately north-west and south-east. Windows are a regular domestic scale without large areas of glazing. For these reasons, it is considered the dwellings would have a low risk of overheating. This is supported.

9.35 Subject to the recommended conditions, the applicant has 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.

9.36 **Biodiversity**

9.37 The Environment Act 2021 and the Council's 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. This policy states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

9.38 The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021 and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act. As part of the biodiversity net gain regulations, a number of exemptions were included and subject to The Biodiversity Gain Requirements (Exemptions) Regulations 2024 which prescribe exemptions for categories of development to which biodiversity net gain does not apply.

9.39 One of the exemptions includes 'Temporary exemption for small developments'. The biodiversity gain planning condition does not apply in relation to planning permission for small development where the application for planning permission for small development was made before 2nd April 2024, among other exemptions. "Small development" means development which is not major development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015(1). The current application is for 5 dwellings on a site less than 1 hectare and the application was received by the local planning authority on 13 March 2024. Therefore the application falls within the exemptions in The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and biodiversity net gain does not apply.

9.40 Notwithstanding this, an Ecological Assessment has been submitted with the application, which explains the applicant's approach to ecological enhancements. The report is based on ecological surveys undertaken in 2021 for the reserved matters application for the wider BDW 5/6 parcel. It describes the majority of the site as unmanaged ruderal/ephemeral vegetation on previous arable cropland considered to be of negligible ecological importance. The proposed landscape enhancements within the

site, include tree planting, hedgerows and new residential gardens. Furthermore, the applicant proposes bat and bird boxes on both plots, hedgehog holes in all fencing within new residential gardens, and two insect hotels. These are expected to deliver a net gain in biodiversity. This is supported and **condition 12 – ecological enhancements** is recommended to secure implementation of these measures.

- 9.41 It is important to highlight that the current application site is within the wider BDW5/6 parcel for which an Ecological Conservation and Management Plan (ECMP) has been approved, demonstrating compliance with the aims and objectives of the approved Site Wide Ecological Conservation Management Plan under the outline planning consent. This includes ecological enhancements on the wider site near to the boundaries of the current application. For example, drainage ditches across the wider BDW5/6 site are being retained and enhanced as part of the development, including additional planting of aquatic and marginal species and seeding of the banks to continue to provide shelter and foraging opportunities for species.
- 9.42 During construction, measures will be put in place to protect species and habitats. A Construction Ecological Management Plan (CEcMP) has been approved as part of the planning conditions for the wider BDW5/6 site. The Ecological Assessment explains that this will be adhered to on the current planning application site. **Condition 11 – ecological conservation management plan** is recommended to secure this.
- 9.43 Subject to these conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and would achieve ecological enhancements. Taking the above into account, the proposal is compliant with Policies 57, 69 and 70 of the Cambridge Local Plan (2018).
- 9.44 **Water Management and Flood Risk**
- 9.45 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.
- 9.46 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 9.47 The applicants have submitted a Surface Water Drainage Note which explains how the proposed development relates to the approved drainage network for Darwin Green 1 and the approved drainage scheme for the wider BDW5/6 parcel.
- 9.48 The Note explains that the proposed layout has not impacted on the amount of impermeable area in comparison with the approved BDW5/6 site plan. It concludes that there is sufficient drainage capacity within the approved surface water drainage network for the wider BDW 5/6 parcel. Also, that there are no proposed changes to the sewers or general principles of the surface water drainage network as a result of the proposed layout.

- 9.49 In terms of foul water capacity, the report explains that the number of plots and associated foul flows from the application area have not changed, therefore there is sufficient capacity within the approved foul network to accommodate foul flows from the redesigned plots.
- 9.50 The Local Lead Flood Authority (LLFA) was consulted on the application on the basis that it reviewed the drainage scheme for the wider Darwin Green 1 and BDW5/6 parcel. It supports the conclusions of the Surface Water Drainage Note and raises no objection to the current application. The LLFA has also reviewed the proposed levels and has raised no objections in terms of these being capable of achieving an acceptable detailed drainage scheme. It has recommended conditions for a detailed surface water drainage scheme and construction drainage scheme, and informatives. This advice is accepted.
- 9.51 In conclusion, the applicant has 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.
- 9.52 **Highway Safety and Transport Impacts**
- 9.53 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.
- 9.54 Paragraph 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.
- 9.55 The transport impacts have been assessed through the Darwin Green 1 outline application and the previous reserved matters application for parcel BDW5/6. The proposal would not increase the number of dwellings above the outline approval for Darwin Green 1.
- 9.56 The Highway Authority has advised that the proposed car parking layout would not have an unacceptable impact on the proposed adopted highway and has not objected to the proposal on highway safety grounds.
- 9.57 For these reasons, subject to the Unilateral Undertaking, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 9.58 **Cycle and Car Parking Provision**
- 9.59 Cycle Parking



- 9.60 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, and 3 spaces for 4-bedroom dwellings. 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.
- 9.61 In addition to this, the Darwin Green 1 outline consent and approved Design Code requires a higher number of cycle parking spaces than the adopted Local Plan policy. It requires 1 space per bedroom for dwellings up to 3 bedrooms, and 4 spaces per dwelling for 4 or 5 bedroom dwellings (rather than 3 spaces in the adopted standards).
- 9.62 During the course of the application, amendments were submitted to provide a split store arrangement with each dwelling having a store to the front and within the rear garden. This is consistent with stores approved on parcels BDW3 and BDW4. The stores provide space for two bikes in each (four in total for each dwelling), as shown on the revised site ground floor plan. This meets the requirements of the Design Code and exceeds the adopted standards.
- 9.63 As set out in the Design, Layout, Scale and Landscaping section above, conditions are recommended to secure further details of the design of the stores. A Sheffield hoop is shown within each store to provide secure storage, however the Urban Design Team has recommended this is replaced by a wall mounted bar which would be more convenient.
- 9.64 Subject to the recommendation of conditions as described above, the proposed cycle store provision is acceptable in accordance with policy 82 of the Local Plan.
- 9.65 Car parking
- 9.66 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms.
- 9.67 The proposed development provides two car parking spaces for each dwelling. This is compliant with the adopted standards in policy 82.
- 9.68 In addition to the adopted standards, the Darwin Green 1 outline consent restricts the total number of residential parking spaces for the Darwin Green development (2,389 spaces) and this cap has not been reached (a total of 2,224 residential spaces have been approved). While this condition does not

apply to the current full application, it is worth noting that the proposal would not exceed the total number of spaces approved on Darwin Green 1.

- 9.69 The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking. Car club spaces are secured in the Darwin Green 1 outline consent.
- 9.70 The applicant proposes to install one electric vehicle (EV) charge point for each dwelling. This exceeds the standards set out in the Greater Cambridge Sustainable Design and Construction SPD and is supported. **Condition 26 – electric vehicle charging** is recommended to secure this.
- 9.71 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.
- 9.72 **Amenity**
- 9.73 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.
- 9.74 Neighbouring Properties
- 9.75 The nearest existing residential properties are numbers 14 and 19 Cavesson Court. These are semi-detached properties attached to numbers 12 and 17 Cavesson Court respectively. Each property has one first floor window on the side elevation facing towards the site, windows on the front elevation, and front and rear gardens. There are detached garages between the two properties.
- 9.76 The reserved matters approval which includes Plots 312 and 313 is a fallback scenario which the applicant could implement in the event that the current planning application is not approved, and is a material consideration. The current proposal seeks to improve the relationship between Plots 312 and 313 and the neighbouring properties. Condition 6 on the reserved matters consent requires revised elevations to be submitted for plots 312 to reduce the overbearing impact on neighbouring properties. The current proposal seeks to make further changes to the layout of the approved plots, to further reduce the impact on neighbouring residential amenity. This approach from the applicant is welcomed by officers in principle.
- 9.77 Compared to the approved reserved matters, the proposed Plot 312 would be approximately 2 metres further away from the boundary with number 14 Cavesson Court. The rear elevation of the proposed dwelling would be approximately 6.5 metres from the boundary with the front garden of the neighbouring property. The proposed house type would be the same as the approved reserved matters, and does not have windows on the rear elevation except for a roof light. Brickwork detailing has been added to the first floor

rear elevation which addresses the requirements of condition 6 on the reserved matters. A condition is recommended to remove permitted development rights for the insertion of additional first floor windows, roof lights and roof extensions, and rear extensions (**conditions 21, 22 and 23 – removal of permitted development rights**).

- 9.78 The proposed Plot 313 would also be approximately 2 metres further away from the boundary with number 19 Cavesson Court. The rear elevation of the proposed dwelling would be approximately 15.5 metres from the boundary with the side of the neighbouring property. Again, the same house type is proposed as the approved reserved matters, but the plot has been rotated so that the rear elevation (rather than the side elevation) faces towards number 19 Cavesson Court. There are two first floor windows on the rear elevation which are obscure glazed, and four roof lights. Again, **conditions 21, 22, and 23 - removal of permitted development rights** are recommended to remove permitted development rights for the insertion of additional first floor windows, roof lights and roof extensions. A further **condition 24 – obscure glazing** is recommended to ensure the obscure glazing is implemented.
- 9.79 Third party representations have raised concerns about site levels and the impact of potential ground raising in this location. During the course of the application, a plan showing proposed site and finished floor levels (FFL) was submitted. The applicant confirmed that the ground level at the boundary with existing neighbouring properties would remain the same as existing, but the proposed gardens would have a slight gradient increasing away from the boundary. The proposed levels adjacent to the rear of Plot 312 would be 13.600 compared to existing levels 13.44. The proposed FFL would be similar to the reserved matters approval as show in the table below for comparison. This is acceptable in terms of residential amenity, especially when combined with the increase in distance to the boundary.

Plot No.	Approved FFL	Proposed FFL	Difference + / -
312	13.656	13.750	+0.094
313	14.025	13.925	-0.100

- 9.80 Subject to this, the current proposal would have an improved relationship with the neighbouring property compared to the approved reserved matters by virtue of the greater separation distance and is acceptable.
- 9.81 The proposal would be acceptable in terms of the relationship between the proposed dwellings and other existing neighbouring properties, also with nearby dwellings on the approved reserved matters scheme.
- 9.82 Future Occupants
- 9.83 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).

9.84 The gross internal floor space measurements for units in this application are shown in the table below:

Plot	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit (m <sup>2</sup> )	Difference in size (m <sup>2</sup> )
312	4	6	3	112	118.5	+6.5
313	5	8	3	134	157.6	+23.6

9.85 The proposed dwellings meet the adopted space standards and comply with Policy 50. Furthermore, these house types are the same as in the approved scheme. Therefore the residential amenity of the proposed dwellings would be the same as the fallback situation. This is acceptable.

9.86 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. The proposed dwellings would have gardens to the rear which would provide appropriate private amenity space for the size of the dwellings. The proposal complies with policy 50.

9.87 Accessibility

9.88 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. The Design and Access Statement confirms that all proposed homes would meet the requirement part M4(2). Officers consider that the layout and configuration enables inclusive access and future proofing. The proposal complies with policy 51.

9.89 Noise

9.90 The application proposes air source heat pumps for each dwelling. During the course of the application, a plan showing the location of air source heat pumps close to the rear of the dwellings and a noise impact assessment were submitted. The Environmental Health team have reviewed this information and advised that the air source heat pumps have been located to maximise separation from the existing properties off site at Martingale Close and those within the Darwin Green development. The consultee has raised no objection and recommends **condition 18 – air source heat pumps compliance** to ensure implementation of the mitigation measures set out in the applicant's noise impact assessment. This advice is accepted. Subject to these conditions, the proposal is acceptable.

9.91 Construction and Environmental Impacts

9.92 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 minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

- 9.93 The Council’s Environmental Health team has assessed the application and recommended standard conditions relating to construction impacts (**conditions 3, 4, 6 and 7**). This advice is accepted. An additional condition is recommended to secure compliance with the construction mitigation measures approved for the wider Darwin Green 1 development and the BDW5/6 reserved matters scheme, namely the Construction Environmental Management Plan (CEMP) and the Construction Method Statement (CMS) (**condition 5**). Subject to these conditions, the proposal is acceptable in accordance with policy 35.
- 9.94 Summary
- 9.95 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.
- 9.96 **Third Party Representations**
- 9.97 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
Residential amenity impact (impacts on overlooking and privacy, enclosure and overbearing)	This has been addressed in the ‘Amenity’ section of this report.
Ground raising and site levels (residential amenity and flooding)	Proposed site levels were submitted during the course of the application. The impact of the proposed FFLs on residential amenity is assessed in paragraph 9.79. The LLFA has reviewed the proposed site levels and has raised no objection. A detailed drainage scheme will be approved under <b>condition 9 – detailed surface water drainage scheme</b> .  Wider concerns about compliance with the approved site levels on the BDW5/6 parcel are a separate enforcement matter.
Assessment and impact on and loss of trees/hedges	This has been addressed in the ‘Trees’ section of this report.

Fencing and impact on biodiversity	The landscape proposals show a 1.2 metre high post and rail fence with galvanised wire mesh attached on the hedge side leaving a 130mm gap at the base for animal access to the hedge.
Large amount of application documentation	Noted.
Flooding	This has been addressed in the 'Water Management and Flood Risk' section of this report.  Wider concerns about flooding on the BDW5/6 parcel are a separate enforcement matter.
Ownership of the hedge	No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site.

#### 9.98 **Planning Obligations (S106)**

9.99 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

9.100 Policy 85 states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

9.101 The applicant has submitted a Unilateral Undertaking to link any planning permission granted for the current application to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development. This is to ensure that the delivery of the five units proposed would be bound by the terms of the outline Section 106 Agreement. This is particularly important for the housing delivery numbers and meeting the triggers for delivery of infrastructure.

9.102 This is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010 in accordance with policy 85 of the Cambridge Local Plan (2018).

9.103 The applicant has also offered to transfer ownership of the hedge to the relevant existing neighbouring properties and to make a commitment within the Unilateral Undertaking to offer the land. Officers do not consider this to be necessary to make the development acceptable in terms of the ongoing management and maintenance of the hedge and in terms of residential amenity for the reasons stated in this report. Therefore it fails to meet the tests set by the Community Infrastructure Levy Regulations 2010 and is not included within the Unilateral Undertaking.

9.104 A draft Unilateral Undertaking has been shared with Cambridge City Council and the terms are agreed in principle, subject to agreement of the final wording. The Unilateral Undertaking is also subject to agreement with Cambridgeshire County Council.

#### 9.105 **Other Matters**

9.106 Bins

9.107 Policy 57 requires refuse and recycling to be successfully integrated into the proposals. The proposal includes bin stores within the rear gardens. Recommended **condition 16 – cycle and bin stores** would secure the detail. Subject to this, the proposal complies with policy 57.

### 10.0 **Planning Balance**

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

10.2 Summary of harm

10.3 No harms have been identified.

10.4 Summary of benefits

10.5 The proposal would provide two market homes within the Darwin Green 1 development, which forms part of the strategic housing allocation supported under Policy 20 of the Cambridge Local Plan 2018. Albeit, there would be no net increase in the number of dwellings compared to the approved scheme.

10.6 It would address the condition on the reserved matters consent by providing alternative elevations for Plot 312. It would go further than the requirements of the condition by making wider changes to the position of Plots 312 and the adjacent Plot 313 to improve the relationship with neighbouring properties. This is welcomed in the interests of protecting the residential amenity of existing neighbouring properties at Cavesson Court.

- 10.7 The proposal would achieve high quality development in terms of urban design and landscaping, and would meet sustainability targets for carbon reduction and water efficiency. The proposed dwellings would provide accessible homes compliant with Building Regulations requirement part M4(2). Mitigation measures would be secured by conditions to protect residential amenity, existing trees and hedges, and ecology during construction.
- 10.8 Concerns raised by third party representations about the proposed site levels and the proposals for the future maintenance of the existing hedge along the boundary have been addressed during the course of the application and are discussed in the report.
- 10.9 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 subject to conditions.

## **11.0 Recommendation**

11.1 **Approve** application 24/00962/FUL subject to:

- (i) The planning conditions and informatives as set out below with minor amendments to the conditions as drafted delegated to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission; and.
- (ii) Satisfactory completion of a Unilateral Undertaking to link any planning permission granted for the current application to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development.

## **12.0 Planning Conditions**

### **1. Standard time**

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

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

### **2. Approved drawings**

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. CE16AC – Construction / demolition hours**

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).

**4. CE17AC – Demolition / construction collections / deliveries**

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. (Cambridge Local Plan 2018 policy 35).

**5. CEMP and CMS compliance**

Development shall only be carried out in accordance with the Construction Environmental Management Plan (CEMP) approved in writing by the local planning authority as required by condition 51 on the outline consent 07/0003/OUT, and in accordance with the Construction Method Statement (CMS) approved in writing by the local planning authority as required by condition 52 on the outline consent 07/0003/OUT in relation to the reserved matters 21/03619/REM. The approved CEMP and CMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

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

**6. CE19AS – Piling**

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

#### **7. CE05AS – Unexpected Contamination**

If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

#### **8. Construction Surface Water Drainage Scheme**

No development, including preparatory works, shall commence until details of measures for how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence and shall be retained as such for the duration of the works.

Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

#### **9. Detailed Surface Water Drainage Scheme**

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the Surface Water Drainage Note (Plot 312, BDW 5&6, Darwin Green One) prepared by Woods Hardwick (ref: 18906/SWDN (PLOT 312)) dated March 2023 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling and shall be retained as such thereafter.

Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity (Cambridge Local Plan 2018 policies 31 and 32 and the National Planning Policy Framework).

#### **10. Tree protection**

The approved tree protection methodology shall 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.

Reason: To ensure that trees to be retained will be protected from damage during any construction activity, including demolition (Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990).

#### **11. Ecological Conservation Management Plan**

Development shall only be carried out in accordance with the Construction Ecological Management Plan (CEcMP) approved in writing by the local planning authority as required by condition 2 on the reserved matters consent 21/03619/REM. 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, in compliance with Cambridge Local Plan 2018 Policy 57.

#### **12. Ecological Enhancements**

Prior to first occupation of the dwellings hereby permitted, the ecological enhancements detailed in the approved Ecological Assessment Issue Number 2 report prepared by Eight Versa Ltd. dated 17 October 2023 shall be fully installed and operational. The ecological enhancements shall be retained as such thereafter.

Reason: To conserve and enhance ecological interests, in line with Cambridge Local Plan 2018 Policy 57.

#### **13. CL01DS Hard and soft landscape**

No development above ground level, other than demolition, shall commence until all details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The works shall be fully carried out in accordance with the approved details prior to the occupation of

the development, unless an alternative phasing scheme for implementation has otherwise been agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan 2018; Policies 55, 57 and 59).

#### **14. CL02BS Landscape replacement**

If within a period of 5 years from the date of planting of any trees or shrubs, or 5 years from the commencement of development in respect of any retained trees and shrubs, they are removed, uprooted, destroyed, die or become seriously damaged or diseased, replacement trees and shrubs of the same size and species as originally planted shall be planted at the same place in the next available planting season, or in accordance with any variation agreed in writing by the Local Planning Authority.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interests of visual amenity (Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990).

#### **15. Materials and Brickwork**

The materials and brickwork used in the construction of external surfaces on the development hereby permitted (including, for the avoidance of doubt, all dwellings, stores and hard landscaping) shall be the same as those used on the parcel known as BDW5/6 approved by reserved matters consent 21/03619/REM, or shall be in accordance with details that have been submitted to and approved in writing by the local planning authority prior to commencement of development above ground level.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy 55 of the Cambridge Local Plan 2018.

#### **16. Cycle and bin stores**

No development of any cycle and bin stores above ground level shall commence until detailed plans and elevations of the stores, including materials, have been submitted to and approved in writing by the local planning authority. The details shall include the means of providing secure storage and the materials for the external walls and roofs. Development shall be carried out in accordance with the approved details.

Reason: To provide convenient cycle storage for two cycles to promote the use of sustainable transport modes (Cambridge Local Plan 2018 policy 82).

#### **17. Green roof (bin and bike stores)**

All cycle and bin stores with a flat roof(s) or a roof pitch below 10 degrees within the development hereby permitted shall be installed with a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 60 mm thick.
- b) Provide suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

The green biodiverse roof(s) shall be implemented in full prior to occupation of the dwellings.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31).

## **18. Air Source Heat Pumps Compliance**

The Air Source Heat Pumps, associated equipment and specified mitigation hereby approved shall be installed and implemented fully in accordance with the operational noise levels and noise mitigation scheme measures as specified in the submitted *24 Acoustics "Noise Assessment – Technical Report: R10712-2 Rev 0" dated 22 July 2024*.

Reason: In the interests of noise mitigation and the impact on residential amenity (Cambridge Local Plan 2018, policy 35).

## **19. Implementation of carbon reduction technologies and Future Homes Standards**

No dwelling shall be occupied until the approved carbon reduction strategy for that dwelling as set out in the *Sustainability Statement version 1* report prepared by Environmental Economics dated 22 January 2024 has been implemented in full. Any associated renewable and / or low carbon technologies shall thereafter be retained and remain fully operational in accordance with the approved details.

The dwellings hereby approved shall be constructed to the Future Homes Standard. Post-construction assessments demonstrating compliance with the relevant standard shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling to which the assessment relates.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

**20. Water efficiency (CR10BS)**

No dwelling shall be occupied until water efficiency measures for the scheme have been implemented in accordance with the optional requirement as set out in Part G of the Building Regulations, which requires all dwellings to achieve a design standards of water use of no more than 110 litres/person/day.

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).

**21. Removal of permitted development rights (windows)**

Notwithstanding the provisions of Article 3 Schedule 2 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 windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the rear elevations of Plots 312 and 313 at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57).

**22. Removal of Class A permitted development rights (extensions)**

Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no enlargement, improvement or other alteration of the dwelling house(s) shall be constructed on Plots 312 and 313 without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

**23. Removal of Class B and C permitted development rights (alterations to roof)**

Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows, additions or alterations to the roof of the dwelling house(s) shall be constructed on Plots 312 and 313 without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

## **24. Opaque and fixed windows for all bathroom and ensuites**

No dwelling hereby permitted shall be occupied until all windows shown as obscure glazed on the approved drawings 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, 56 and 57).

## **25. Curtilages**

No dwelling hereby permitted shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

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

## **26. Electric Vehicle Charging**

No dwelling shall be occupied until one active electric vehicle charge point for each dwelling has been installed and functioning with a minimum power rating output of 7 kilowatts. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or any superseding standard or Building Regulations.

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 NPPF and policy 36 of the Cambridge Local Plan 2018 and with Cambridge City Council's adopted Air Quality Action Plan 2018.

## **INFORMATIVES**

### **Unilateral Undertaking**

This application is subject to a Unilateral Undertaking dated [insert date].

### **Environmental Health Conditions**

To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January

2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution and the following associated appendices:

- 6: Requirements for Specific Lighting Schemes
- 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
- 8: Further technical guidance related to noise pollution

### **Green Roofs**

All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).

### **Ordinary Watercourse Consent**

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/asset-library/Cambridgeshires-Culvert-Policy.pdf>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

### **Pollution Control**

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

### **Construction Surface Water Maintenance**

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than



initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.