



<b>Planning Committee Date</b>	5 <sup>th</sup> March 2025
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	24/04439/S73
<b>Site</b>	48 Cavendish Avenue Cambridge Cambridgeshire CB1 7UT
<b>Ward / Parish</b>	Queen Ediths
<b>Proposal</b>	S73 to vary condition 2 (Approved plans) of planning permission 24/01907/S73 (S73 to vary condition 2 (approved drawings) of ref: 23/02630/FUL (Demolition of existing dwelling and erection of 1no 5bed dwelling) Extensions to the north-west corner of the dwelling, in addition to alterations to the fenestration of the building) to change Pitched roof to a dormer and render to the rear facing dormer.
<b>Applicant</b>	Mr/Mrs Matthew / Hua Ryan
<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. Design and appearance 2. Neighbouring amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## Executive Summary

- 1.1 The application seeks to vary planning condition 2 of planning permission 24/01907/S73 relating to condition 2 (approved plans). The original permission granted permission for the demolition of the existing dwelling and erection of 1No. 5 bed dwelling.
- 1.2 The revisions sought are:
- Addition of a dormer window to the side facing roof slope
  - Rendering of rear facing dormer window
- 1.3 Officers recommend that the Planning Committee approve the application subject to conditions.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
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 contains the two-storey semi-detached residential dwelling of No.48 Cavendish Avenue. The site is located on the southern side of Cavendish Avenue where there is a strong prevailing character of mostly pairs of semi-detached dwellings that are uniform within their pairs but with more variation amongst the entirety of the street scene. All of the properties within the immediate context have long rear gardens extending to the south, with multiple examples of larger outbuildings within the bottom of these gardens.
- 2.2 The surrounding area is almost entirely residential in use with the southern boundary of the site adjoining the northern boundary of the properties that front Hills Avenue to the south. The application site and the existing property of No.48 adjoins the neighbouring property of No.50 to the east, with the detached neighbouring property of No.46 Cavendish Avenue to the west.

### 3.0 The Proposal

- 3.1 This application is seeking to vary condition 2 (approved plans) of planning permission 24/01907/S73 (S73 to vary condition 2 (approved drawings) of ref: 23/02630/FUL (Demolition of existing dwelling and erection of 1no 5bed dwelling) to change Pitched roof to a dormer and render to the rear facing dormer.
- 3.2 The main alteration proposed to the previously permitted design is the addition of a side facing dormer window within the roof of the property. The application is also seeking to render the previously approved rear facing dormer window in place of zinc cladding.

### 4.0 Relevant Site History

Reference	Description	Outcome
22/05481/HFUL	Two storey side and rear extension, ground floor rear extension, a dormer extension and a reconstructed entrance porch to the front.	Permitted
23/02630/FUL	Demolition of existing dwelling and erection of 1no 5bed dwelling.	Permitted
24/01906/S73	S73 to vary condition 2 (approved drawings) of ref: 23/01311/HFUL ( Demolition of existing garden accommodation and construction of a new detached replacement) and to remove condition 4 (replacement trees).	Withdrawn
24/01907/S73	S73 to vary condition 2 (approved drawings) of ref: 23/02630/FUL (Demolition of existing dwelling and erection of 1no 5bed dwelling) Extensions to the north-west corner of the dwelling, in addition to alterations to the fenestration of the building.	Permitted

- 4.1 There is an extensive planning history at this site in recent years, in this case, the 2022 Householder application, 2023 full application and 2024 approved section 73 application are directly relevant to this proposal.
- 4.2 The 2022 Householder application was approved in 2023 for extensions to the existing property and subsequently, a full application was submitted for the demolition of the existing building and rebuilding to an almost identical

design as had been approved within the previous householder application. Due to the fact that the site is not within a Conservation Area and the subsequent lack of control over demolition, this application was approved. The previously approved Section 73 application granted permission for minor material amendments to the proposed replacement dwelling.

4.3 This current application is submitted to proposed further minor alterations to the design of the replacement dwelling within the site.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Technical Housing Standards – Nationally Described Space Standard (2015)

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

Policy 1: The presumption in favour of sustainable development

Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 35: Protection of human health from noise and vibration

Policy 36: Air quality, odour and dust

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 71: Trees

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

## **6.0 Consultations**

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

6.2 No objection to the proposal subject to the conditions requested on previous applications.

### **6.3 Sustainable Drainage Officer – No comment received**

### **6.4 Tree Officer – No comment received**

### **6.5 Environmental Health – No Objection**

6.6 No objection subject to the conditions a recommended on the initial application.

## **7.0 Third Party Representations**

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Residential amenity impact (overlooking)
- Incremental alteration to development

## **8.0 Assessment**

### **8.1 Planning Background**

8.2 As a section 73 application, this proposal can only be assessed in terms of the changes that are proposed to the previously approved full application.

### **8.3 Principle of Development**

8.4 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 continue to contribute to housing supply and thus would be compliant with policy 3.

- 8.5 The principle of the proposed development for a single residential unit within the site has and is not proposed to be changed. The principle of the demolition and replacement of the existing dwelling was approved within the previous full application and therefore is not a matter for determination within this application.
- 8.6 The applicant has sought to amend the conditions attached to the planning permission by seeking to make a minor material amendment. Paragraph 13 of Planning Practice Guidance advises that there is no statutory limit on the degree of change permissible to conditions under S73, but the change must only relate to conditions and not to the operative part of the permission [Paragraph: 013 Reference ID: 17a-013-20140306] Case law has established the test which governs section 73 cases is to be found in R v Coventry City Council, ex p. Arrowcroft Group plc [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application." (para. 33).
- 8.7 Where an application under section 73 is granted, the effect is the issue of new planning permission, sitting alongside the original permission, which remains intact and unamended [Paragraph: 015 Reference ID: 17a-015-20140306].
- 8.8 The principle of the development has been established through the extant planning permission for replacement dwelling to which the amendments are sought. The development is therefore acceptable in principle and is in accordance with policy 3 of the Cambridge Local Plan 2018.
- 8.9 Design, Layout, Scale and Landscaping**
- 8.10 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.
- 8.11 The revisions proposed within this application include an additional side facing dormer window. This alteration is proposed to the western roof slope and would be visible from within the public realm along Cavendish Avenue. Whilst there are a number of properties within the surrounding area that have rear dormer windows, side facing examples such as this are less common.
- 8.12 Whilst the total additional volume of alterations to the roof would likely exceed that allowable under permitted development, side facing dormer windows are possible under permitted development. Additionally, it is noted that there is a variety in roof forms along this segment of Cavendish Avenue including side facing gables. As such the proposed dormer, to be

clad in zinc is not considered to be harmful to the character and appearance of the area where there is no prominent prevailing roof form.

- 8.13 It is noted that third party representations have raised concern with the impact of the proposed dormer window on the visible scale and massing of the replacement dwelling. As stated above, the dormer would be visible when viewing the property from the street, however its scale is not considered to significantly increase the massing of the property. It is not suitable to assess this application on the other aspects of the proposal that have previously been approved.
- 8.14 This application is also seeking permission to replace the previously approved zinc cladding to the rear dormer with render to match the main dwelling. Given that the materials are to match the dwelling, and the dormer is not visible from the public realm, this change is considered to be acceptable.
- 8.15 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 and 58.

#### **8.16 Trees**

- 8.17 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.
- 8.18 The previously approved application was supported by an arboricultural impact assessment and there was no objection to this previous proposal from the Council's tree officer.
- 8.19 The amendments proposed within this application are not considered to be within close proximity of any of the trees within the site. Whilst comments from the tree officer have not been received, it is not considered that the proposed amendments would result in any potential additional harm to trees within or surrounding the site. Additionally, conditions were attached and would continue to apply regarding tree protection methodology, and compliance with this information.
- 8.20 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

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

- 8.22 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to

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

- 8.23 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 8.24 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 8.25 The previously approved application included two conditions regarding carbon reduction and water efficiency specifications. Both of these conditions would continue to apply in this instance and are considered to be sufficient to comply with the above policies.
- 8.26 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.

## **8.27 Biodiversity**

- 8.28 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 8.29 The previously approved applications for the replacement dwelling were consented with a biodiversity net gain condition attached. Whilst it is not reasonable to vary this condition to require 10% net gain, the condition would be attached to ensure that measurable net gain is achieved. The proposed works are also not considered to potentially result in any additional impact to protected species above that of the replacement dwelling as previously proposed and approved.
- 8.30 Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).



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

- 8.32 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. 170 – 182 of the NPPF are relevant.
- 8.33 The site is in Flood Zone 1 and is at low risk of surface water flooding.
- 8.34 The previous application that was approved for the replacement dwelling was subject to a flood risk assessment. This was considered acceptable at this previous stage, subject to conditions regarding foul and surface water drainage. These conditions would continue to apply and it is not considered that the proposed amendments would significantly increase potential flood risk.
- 8.35 Subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

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

- 8.37 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 8.38 Para. 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.39 The proposed dwelling is to be accessed from Cavendish Avenue and no changes are proposed to the access within this section 73 application.
- 8.40 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 as requested within the previous application.
- 8.41 Subject to conditions the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **8.42 Cycle and Car Parking Provision**

- 8.43 Cycle Parking
- 8.44 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.

- 8.45 No changes are proposed to the cycle parking provision which was for a purpose-built store to the front of the replacement dwelling. This provision was considered to be acceptable previously, given that this proposal would not increase the number of bedrooms within the dwelling it is not considered reasonable to require an increase in the provision of cycle parking. The current cycle parking provision is therefore considered to be acceptable.
- 8.46 Car parking
- 8.47 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.
- 8.48 The single car parking space proposed to the front of the dwelling is considered to be acceptable with further on-street car parking available on Cavendish Avenue. Given that the amendments proposed would not impact this provision, it is considered acceptable in this regard.
- 8.49 Subject to conditions attached to the previous application, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

## **8.50 Amenity**

- 8.51 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.
- 8.52 Neighbouring Properties
- 8.53 Impact on No. 46
- 8.54 The proposed additional side facing dormer would face onto the eastern elevation of this neighbouring property. It is noted that concerns have

been raised by third parties with regards to the impact of this extension on the amenity of this neighbouring property.

- 8.55 Whilst there are ground floor windows within the western elevation of No.46, it is not considered by officers that the addition of the dormer window as proposed would cause a significant increase in any loss of light or overbearing to these windows.
- 8.56 The window proposed within the eastern elevation of the dormer window is to serve a bathroom and the sill of the window is located 2 metres above the finished floor level of this room. Therefore, owing to the height of the window it is not considered to offer any view of the neighbouring property.
- 8.57 The alterations to the material of the rear dormer is not considered to lead to any additional harm to neighbouring amenity.
- 8.58 Future Occupants
- 8.59 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government’s Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.60 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	5	8	3	134	276	+142

- 8.61 Garden Size(s)
- 8.62 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 private residential garden would remain significant in its size and is considered to be acceptable for a dwelling of this size, in this location.
- 8.63 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 was attached to the previous FUL and S73 applications to ensure compliance with M4(2) and this would also be reapplied to any approval.
- 8.64 Construction and Environmental Impacts
- 8.65 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

- 8.66 The Council's Environmental Health team have assessed the application and have no objection to the proposed amendments, subject to the conditions that were previously requested and attached to the FUL application. These are also recommended within this application.
- 8.67 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.

**8.68 Third Party Representations**

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

<b>Third Party Comment</b>	<b>Officer Response</b>
Incremental amendments to the application	Whilst concerns are acknowledged regarding the process at the site for multiple incremental changes to the design of the replacement dwelling. Each application has been assessed with the cumulative impact included, as such there is no reasonable way to resist this process of applications.

**8.70 Planning Balance**

- 8.71 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.72 The proposed development would preserve the character and appearance of the surrounding area, through the high-quality replacement of the existing dwelling. The scheme provides for a high-quality living environment for future occupiers.
- 8.73 As the site is contained within the City boundary and this is a S73 application, despite the LPA not being able to demonstrate a five-year housing supply, the principle of the proposed use relative to its broad spatial location is not in question. The most important policies for determining this application are, therefore, not considered to be out-of-date relative to para. 11d) of the Framework, as they relate to the operative impacts arising from the proposed extensions and use of the property and how these interact with the immediate environment including neighbours. The tilted balance is therefore not engaged for the purposes of determining the proposal. In any event, housing supply relative to this proposal would remain unaffected given the history of the site and nature of the application.

8.74 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.

## 9.0 Recommendation

### 9.1 Approve subject to:

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

- 1) 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

- 2) No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- i) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available. The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

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

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

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

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

- 5) No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:
  - i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
  - ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
  - iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
  - iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
  - v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

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

Reason: To provide ecological enhancements in accordance with the NPPF 2024 para 187, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 6) 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)

- 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) The development, hereby permitted, shall not be occupied until the proposed first floor windows in the western 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).

- 9) No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

- 10) Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety. In accordance with NPPF paragraph 116.

- 11) The proposed driveway be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway, in accordance with NPPF paragraph 116.

- 12) The proposed drive be constructed using a bound material, for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

Reason: In the interest of highway safety, in accordance with NPPF paragraph 116.

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

- 14) 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).

- 15) 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)

- 16) Finished ground floor levels to be set no lower than 300mm above the surrounding ground levels, in accordance with 48 Cavendish Avenue -Flood Risk and SuDS Assessment - reference 1393, prepared by Flume and dated September 2023.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 17) 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

- 18) Notwithstanding the approved plans, the flat roof on the single storey rear projection of the replacement dwelling hereby approved shall be green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:
- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
  - b) With suitable access for maintenance.

c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

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

19) Conditions of planning permission 24/01907/S73 shall continue to apply to this permission, and where they have been discharged, the development of 24/04439/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.