

## Appendix 1:

### Response by South Cambridgeshire District Council and Cambridge City Council to DLUHC open consultation on changes to various permitted development rights

**Q.1 Do you agree that the maximum depth permitted for smaller single-storey rear extensions on detached homes should be increased from 4 metres to 5 metres?**

No.

Existing permitted development extension depths already are the limit of what could be considered acceptable without further scrutiny, particularly by the LPA on neighbouring amenity impacts and, removes opportunity for neighbours to comment on a planning application. Further, the PD extensions allowable under this part of the regs would not take into account the remaining size of the garden (see below) and for smaller properties extensions beyond 3 or 4 metres could cause significant issues in terms of remaining private amenity space. For detached homes, such extensions could still be directly on the boundary with other properties and cause harm to privacy, daylight, sunlight and outlook.

**Q.2 Do you agree that the maximum depth permitted for smaller single-storey rear extensions on all other homes that are not detached should be increased from 3 metres to 4 metres?**

No.

Existing permitted development extension depths already are the limit of what could be considered acceptable without further scrutiny, particularly by the LPA on neighbouring amenity impacts and, removes opportunity for neighbours to comment on a planning application. Further, the PD extensions allowable under this part of the regs do not take into account the remaining size of the garden (see below) and for smaller properties extensions beyond 3 or 4 metres could cause significant issues in terms of remaining private amenity space. For detached homes, such extensions

could still be directly on the boundary with other properties and cause harm to privacy, daylight, sunlight and outlook.

**Q.3 Do you agree that the maximum depth permitted for two-storey rear extensions should be increased from 3 metres to 4 metres?**

No.

These types of PD application are already rare and do not appear to be well used. The extension of the right would limit public participation in the planning process.

**Q.4 Do you agree that the existing limitation requiring that extensions must be at least 7 metres from the rear boundary of the home should be amended so that it only applies if the adjacent use is residential?**

No.

There may be instances where other adjacent uses are sensitive or have undesirable environmental impacts on occupants which would need to be taken into account.

**Q.5 Are there are any circumstances where it would not be appropriate to allow extensions up to the rear boundary where the adjacent use is non-residential?**

Yes.

This might include schools, nurseries, clinics, healthcare and other sensitive uses.

**Q.6 Do you agree that the existing limitation that the permitted development right does not apply if, as a result of the works, the total area of ground covered by buildings within the curtilage of the house (other than the original house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original house) should be removed?**

No.

This would lead to overdevelopment of plots, particularly for HMOs but also for let domestic properties and other sites where there is no long-term interest in the amenity afforded by a home and garden. This would also be contrary to wider government and LPA ambitions for beautiful, context led development.

**Q.7 Should the permitted development right be amended so that where a two-storey rear extension is not visible from the street, the highest part of the alternation can be as high as the highest part of the existing roof (excluding any chimney)?**

No.

The provision is too open to interpretation and would lead to poor design.

**Q.8 Is the existing requirement for the materials used in any exterior work to be of a similar appearance to the existing exterior of the dwellinghouse fit for purpose?**

No.

The provisions are too prescriptive presently and curtail the ability to use better more modern materials outside of conservation areas.

**Q.9 Do you agree that permitted development rights should enable the construction of single-storey wrap around L-shaped extensions to homes?**

Yes.

The current PD rights lend themselves to oddly shaped extensions if followed in this format which make little sense in terms of internal planning layouts and modern ways of living.

**Q.10 Are there any limitations that should apply to a permitted development right for wrap around L-shaped extensions to limit potential impacts?**

Yes.

The provisions would need to change in order to allow rearward extensions of 3/4m depth set off the original rear side of the dwellinghouse in the case of L shaped extensions.

**Q.11 Do you have any views on the other existing limitations which apply to the permitted development right under Class A of Part 1 which could be amended to further support householders to undertake extensions and alterations?**

Yes.

A requirement that all flat roof extensions are green roofs to support biodiversity and reduce rainwater runoff. A more flexible approach to rear extensions in cases where there are significant changes in ground level to takes account of modest steps in the rear building line in order to not fall foul of having to comply with rear and side extension rules when an extension is principally a rear extension.

**Q.12 Do you agree that the existing limitation that any additional roof space created cannot exceed 40 cubic metres (in the case of a terrace house) and 50 cubic metres (in all other cases) should be removed?**

Yes.

Because the rules around not exceeding ridge height and ensuring materials are matching should be sufficient to ensure the dormer is appropriately designed.

**Q.13 Do you agree that the existing limitation requiring that any enlargement must be set back at least 20 centimetres from the original eaves is amended to only apply where visible from the street, so that enlargements that are not visible from the street can extend up to the original eaves?**

No.

In practice the set-back provides no meaningful visual separation of eaves from the bottom of the dormer and is an unnecessary provision. Would suggest the provision is removed entirely. Whether it is seen from the street or not makes little difference, particularly as most extensions of this type are from the rear and not visible from the street. There are also interpretative issues with the current provision where eaves lines overhang the line of the external wall.

**Q.14 Should the limitation that the highest part of the alteration cannot be higher than the highest part of the original roof be replaced by a limitation that allows the ridge height of the roof to increase by up to 30 centimetres?**

Yes.

But only where the angle of the roof as seen from the street is extended in line with the existing plane. This may also allow for better insulation in existing properties that are extended in this fashion.

**Q.15 Do you agree that the permitted development right, Class B of Part 1, should apply to flats?**

No.

An extension which provides additional living space (intensification of use) could cause detrimental visual and amenity impacts leading to development that overlooks adjacent properties and/or their private amenity space, is overbearing or results in a loss of daylight, enclosure or other environmental impacts. It could also affect the character of the area and undermine the NPPF's aim to deliver beautiful places as would impact on the Council's ability to reject poor quality design.

In particular flats in higher density layouts need considerably more assessment as to their effects on neighbouring amenity often because amenity provision is limited in such circumstances and may, for example, utilise other parts of a roof-top such as a roof top garden.

**Q.16 Should the permitted development right be amended so that where an alteration takes place on a roof slope that does not front a highway, it should be able to extend more than 0.15 metres beyond the plane of the roof and if so, what would be a suitable size limit?**

Yes.

30cm increase would appear to allow more flexibility with little if any additional visual impact.

**Q.17 Should the limitation that the highest part of the alteration cannot be higher than the highest part of the original roof be amended so that alterations can be as high as the highest part of the original roof (excluding any chimney)?**

Don't know.

It is not likely that this will have a significant benefit or cause significant adverse impacts on local character.

**Q.18 Do you agree that bin and bike stores should be permitted in front gardens?**

Yes.

Where houses that only have front gardens (and no rear garden) or those that have limited external access to their rear gardens, such as homes in the middle of a row of terraced houses, they already utilise the front garden space to store bins/bikes without requiring a designated store. Therefore, if storage is not possible to the rear of property and bins/bikes are required to be stored in the only available area (i.e. the front garden) then the installation of bin or bike stores in front gardens under this permitted development right would not make a significant change to visual, or amenity impacts other than screening what it is already visible. Also, arguably many already do not view this as a development requiring permission and so bin/bikes stores are evident in front gardens in such properties regardless.

We agree that where wheelie bins or communal bins for higher density homes dominate front gardens this can lead to “bin blight” which impacts on the local amenity of residential streets and local character and that bin stores provide a positive measure to lessen this impact.

Cambridge has a high level of cycle theft (with a large percentage from residential areas) and so good quality, secure, conveniently located cycle parking is a key mitigation and supports the promotion of cycling.

**Q.19 Do you agree that bin and bike stores should be permitted in front gardens in article 2(3) land (which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites)?**

Yes.

Provided that additional limitations on the size (see response to question 20) and guidance can be provided with respect to materials (see response to question 24) of bin or bike stores to minimise visual and amenity impacts.

**Q.20 Do you agree that bin and bike stores in front gardens can be no more than 2 metres in width, 1 metre in depth and up to 1.5 metres in height?**

Yes.

A limitation on size limitations should be set in order to minimise visual and amenity impacts. We would suggest dimensions of no more than 2 metres in width, 1.4 metre

in depth and up to 1.5 metres in height; width and depth dimensions suggested as that which is evidenced within Cambridge City Councils [Parking Guide for New Residential Developments](#) as the minimum space to park two cycles or potentially one off-gauge bike (for example cargo bikes).

**Q.21 Are there any other planning matters that should be considered if bin and bike stores were permitted in front gardens?**

Yes.

To support good design in areas with distinctive character and/ or design aesthetic e.g., a row of Georgian townhouses, then local authorities could look to provide design guidance (such as district wide design codes) which supports how best to achieve bike/bin stores in a sympathetic manner. Such guidance also allows the opportunity to consider how to integrate secondary benefits (such as sedum roofs for biodiversity and rainwater run-off).

**Q.22 Should the existing limitation that in Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites development situated more than 20 metres from any wall of the dwellinghouse is not permitted if the total area of ground covered by development would exceed 10 square metres be removed?**

(Nb. No response will be returned)

**Q.23 Should the permitted development right be amended so that it does not apply where the dwellinghouse or land within its curtilage is designated as a scheduled monument?**

Yes.

In for instance, the case of a moated site with a dwelling or dwellings within it, incidental buildings etc may impact the importance of the site. A requirement to submit a planning application would be more appropriate to allow for individual consideration of proposals and provide the opportunity for any impact to be assessed on a case by case basis.

**Q.24 Do you think that any of the proposed changes in relation to the Class A, B C and E of Part 1 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

Yes.

**Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights your comments relate to.**

b) local planning authorities- undermine Local Plan policies.

c) communities- lead to adverse visual and amenity impacts.

**Q.25 Do you agree that the limitation restricting upwards extensions on buildings built before 1 July 1948 should be removed entirely or amended to an alternative date (e.g. 1930)?**

No.

The limitation restricting upwards extensions on buildings built before 1 July 1948 should remain. To remove it entirely could adversely affect character and amenity in established streets. The 1948 date is a clear reference point in terms of available building records/consents in the planning system.

**Q.26 Do you think that the prior approvals for the building upwards permitted development rights could be streamlined or simplified?**

(Nb. No response will be returned)

**Q.27 Do you have any views on the operation of the permitted development right that allows for the construction of new dwellinghouses on a freestanding block of flats (Class A of Part 20)?**

(Nb. No response will be returned)

**Q.28 Do you agree that the existing limitations associated with the permitted development right for building upwards on a freestanding block of flats (Class A of Part 20) incorporates sufficient mitigation to limit impacts on leaseholders?**

(Nb. No response will be returned)



**Q.29 Do you think that any of the proposed changes in relation to the Class AA of Part 1 and Class A, AA, AB, AC and AD of Part 20 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

(Nb. No response will be returned)

**Q.30 Do you agree that the limitation restricting the permitted development right to buildings built on or before 31 December 1989 should be removed?**

No.

Removing the limitation restricting the permitted development right to buildings built on or before 31 December 1989 would increase the number of buildings in scope making it easier for change of use not subject to consideration through planning application and so undermine the Councils' ability to consider proposals against policies in the adopted local plan. Proposals should be considered via planning application which allows the LPA to weigh up all appropriate planning considerations on a discretionary basis. The decision-making process via full planning permission protects the health and amenity of occupiers and surrounding uses, ensures high quality design and ensures the delivery of placemaking outcomes (including the delivery of beautiful places). Also, removal of the limitation could further undermine the NPPF's aim to deliver beautiful places as the Councils ability to reject poor quality design, involve local communities and ensure the environmental sustainability of development would not be further eroded.

Any expansion in the number of buildings in scope would also impact on the availability of employment locations. Key to maintaining a growing and evolving economy is the availability of a range of suitable premises for businesses in the different stages in their life cycle. Insufficient supply of space for new start-ups and early-stage firms can lead to both start-ups and expansions being undermined or delayed. The councils' Employment Land and Economic Development Evidence Study has found that there are severe supply pressures for small to mid-sized office occupiers in central Cambridge. It also found that older and less prime office stock outside the City core, which could have been utilised for SME's, has been lost to alternative uses like student flats through permitted development. Values in this outer area are much higher for residential uses compared to office use and developers have been keen to maximise residential space on the land, which exacerbates supply in the area that would have been suitable for SME's. Overall, the Study identifies a floorspace affordability issue in the office and employment market in Greater Cambridge. Common issues include tenants being priced out of the market, long-waiting lists for new space and paying high rents. As a result, the consultants that prepared the Study concluded that workspace market in Greater

Cambridge can be difficult for micro-enterprise and SME's to enter. Removing the limitation is likely to exacerbate the premises shortage in Greater Cambridge which is unlikely to be addressed by the market. This will impact on the key early stages of the lifecycles of businesses and ultimately therefore on the creation and growth of Greater Cambridge's, and ultimately the UK's, key economic clusters.

Demolition could lead to loss of buildings which otherwise could have been re-used and adapted (embodied carbon). This could be a more significant issue if newer buildings included in this right.

**Q.31 If the permitted development right is amended to allow newer buildings to be demolished, are there any other matters that should be considered?**

(Nb. No response will be returned)

**Q.32 Do you agree that the permitted development right should be amended to introduce a limit on the maximum age of the original building that can be demolished?**

Yes- It should not apply to buildings built before an alternative date.

A new limitation should be introduced so that the permitted development right does not apply to buildings built before 1 July 1948. This date provides a better reference point against which to establish the age of a building from available records (in the planning system) in order to protect older buildings. These often help define the established character of a place (even if not statutory Listed or in art 2(3) land). This would also help to protect Locally Listed Buildings and non-designated heritage assets (which are material considerations in the development process, and recognised by NPPF as potentially identified during the process of a planning application).

**Q.33 Do you agree that the Class ZA rebuild footprint for buildings that were originally in use as offices, research and development and industrial processes should be allowed to benefit from the Class A, Part 7 permitted development right at the time of redevelopment only?**

No.

Allowing the benefit to apply will increase the opportunity for residential proposals to circumvent the requirement for a contribution towards Affordable Housing and

requirements to provide any associated social infrastructure which is generated by the development.

An increase in the overall footprint of the new building would lead to associated increase in additional residential units and this would place pressure on any existing infrastructure which may not have capacity to absorb this unmet demand (which would be higher). If such buildings are located out-of-town centres this increase would also lead to increased car usage to access social infrastructure and other services and undermine the Government's own target of achieving net-zero emissions by 2050.

**Q.34 Do you think that prior approvals for the demolition and rebuild permitted development right could be streamlined or simplified?**

(Nb. No response will be returned)

**Q.35 Do you think that any of the proposed changes in relation to the Class ZA of Part 20 permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

**Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

(Nb. No response will be returned)

**Q.36 Do you agree that the limitation that wall-mounted outlets for EV charging cannot face onto and be within 2 metres of a highway should be removed?**

Yes.

This will allow greater flexibility within often constrained sites to locate the infrastructure within a location that can be utilised most efficiently.

**Q.37 Do you agree that the limitation that electrical upstands for EV charging cannot be within 2 metres of a highway should be removed?**

Yes.

This will allow greater flexibility within often constrained sites to locate the infrastructure within a location that can be utilised most efficiently.

**Q.38 Do you agree that the maximum height of electric upstands for EV recharging should be increased from 2.3 metres to 2.7 metres where they would be installed in cases not within the curtilage of a dwellinghouse or a block of flats?**

Yes.

This will make it easier to secure appropriate installations for higher capacity charge points.

**Q.39 Do you agree that permitted development rights should allow for the installation of a unit for equipment housing or storage cabinets needed to support non-domestic upstands for EV recharging?**

Yes.

As above for some non-domestic sites this will make it easier to install on sites where large numbers of charge points are being installed as allows greater flexibility in design.

**Q.40 Do you agree that the permitted development right should allow one unit of equipment housing in a non-domestic car park?**

Don't know.

**Q.41 Do you agree with the other proposed limitations set out at paragraph 60 for units for equipment housing or storage cabinets, including the size limit of up to 29 cubic metres?**

Don't know.

**Q.42 Do you have any feedback on how permitted development rights can further support the installation of EV charging infrastructure?**

Yes.

Permitted development should include pavement slots (could be an agreed specification) to enable the uptake of EV infrastructure in residential urban areas with no off street parking.

**Q.43 Do you think that any of the proposed changes in relation to the Class D and E of Part 2 permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

(Nb. No response will be returned)

**Q.44 Do you agree that the limitation that an air source heat pump must be at least 1 metre from the property boundary should be removed?**

Yes

Providing acceptable in terms of noise and emphasise that some form of noise mitigation may be required.

A robust MCS 020 Planning Standard (also currently under review) certification mechanism needs to be adopted, with a reliable methodology for the assessment of noise impacts and consideration of mitigation as necessary to minimise any adverse noise impacts. It is paramount that there is accurate noise assessment with an acceptable upper limit on noise at any nearby receptor (both at windows to habitable rooms and within any external amenity areas) and also at the property at which any unit is installed, all to ensure there are no unacceptable impacts on health and quality of life as result of noise.

There should also be clear guidance with case studies on best practice installation, including orientation, specific location, distance separation, minimising reflecting hard surfaces and what can be considered a 'solid barrier' for the purposes of noise barrier mitigation. An acoustic barrier needs to be 'solid' and be completely imperforate so sound cannot travel through – most domestic fences by nature will generally have some gaps throughout and in most cases are designed for screening only and not to reduce noise. Hedges or similar should not be considered as having an acoustic mitigation.

There could also be reference to the industry technical best practice such as the Institute of Acoustics (IOA) and Chartered Institute of Environmental Health (CIEH) briefing notes on Heat Pumps [briefing note - heat pumps - publication.pdf](#) & [Professional Advice Note on Heat Pumps](#) which give further guidance and information on how to mitigate the potential noise impacts.

**Q.45 Do you agree that the current volume limit of 0.6 cubic metres for an air source heat pump should be increased?**

Yes.

From a noise perspective this is welcomed as would assist in the development of quieter models for the mass market and their installation. However, careful consideration should be given to any visual impacts, in particular in sensitive locations (for example conservation areas).

**Q.46 Are there any other matters that should be considered if the size threshold is increased?**

(Nb. No response will be returned)

**Q.47 Do you agree that detached dwellinghouses should be permitted to install a maximum of two air source heat pumps?**

Yes.

Yes if sufficient space and providing a robust MCS 020 Planning Standard (also currently under review) certification mechanism is adopted, with accurate noise assessment and an acceptable upper limit on noise at any nearby receptor (both at windows to habitable rooms and within any external amenity areas) and also at the property at which any unit is installed, all to ensure there are no unacceptable impacts on health and quality of life as result of noise.

**Q.48 Do you agree that stand-alone blocks of flats should be permitted to install more than one air source heat pump?**

Yes.

Providing a robust MCS 020 Planning Standard (also currently under review) certification mechanism is adopted, with accurate noise assessment and an acceptable upper limit on noise at any nearby receptor (both at windows to habitable rooms and within any external amenity areas) and also at the property at which any unit is installed, all to ensure there are no unacceptable impacts on health and quality of life as result of noise.

From recent experience noise can be readily mitigated if ASHP units are located on the roof of a block of flats. If grouped together the height and shielding provided at roof level with the additional option of adequate acoustic screening which also provides visual screening, can mitigate noise to acceptable levels. In flats there is also the emerging option of internal ASHP units.

**Q.49 Do you agree that the permitted development right should be amended so that, where the development would result in more than one air source heat pump on or within the curtilage of a block flats, it is subject to a prior approval with regard to siting?**

Yes.

To allow checking compliance with MCS 020 Planning Standard noise requirements.

**Q.50 Are there any safeguards or specific matters that should be considered if the installation of more than one air source heat pump on or within the curtilage of a block of flats was supported through permitted development rights?**

Yes.

The cumulative noise impact of multiple units close together should be assessed etc.

The context and receptor location should also be considered for example:

- At other residential receptor locations (e.g. in a garden or other private amenity space)
- At public amenity spaces – they should also be valued
- Potential for interactions between multiple units to create beat frequencies or similar acoustic character that can be more annoying.

**Q.51 Do you have any views on the other existing limitations which apply to this permitted development right that could be amended to further support the deployment of air source heat pumps?**

Yes.

Removing the condition that “the air source heat pump is used solely for heating purposes”. It is understood that one of the reasons for this condition may have been the greater potential for noise disturbance to occur as related to hotter and humid weather conditions. If there is an option for cooling then it is more likely to be

operational under heavy duty during hot summer months when occupiers are also more likely to have external windows open to assist with cooling and air movement in a room, hence the greater potential for noise disturbance to arise.

Might be an option if a robust MCS 020 Planning Standard with accurate noise assessment and an acceptable upper limit. Might result in more complicated assessment as operational noise levels can be different for heating and separately cooling.

**Q.52 Do you think that any of the proposed changes in relation to the Class G of Part 14 permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

(Nb. No response will be returned)

**Q.53 Do you think that the changes proposed in this consultation could give rise to any impacts on people who share a protected characteristic (Age; Disability; Gender Reassignment; Marriage or Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?**

(Nb. No response will be returned)