

<b>Application Number</b>	13/1471/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	4th November 2013	<b>Officer</b>	Natalie Westgate
<b>Target Date</b>	30th December 2013		
<b>Ward</b>	Romsey		
<b>Site</b>	72 Vinery Road Cambridge Cambridgeshire CB1 3DT		
<b>Proposal</b>	Three storey side extension, roof extension and first floor rear extension to existing building to create 3 additional flats		
<b>Applicant</b>	Mr Trillwood 11 St Albans Road Cambridge Cambridgeshire CB4 2HF		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposal is not likely to have an adverse impact upon the character and appearance of the locality nor the adjacent conservation area.</li> <li>2. The proposal is not likely to adversely impact upon neighbouring occupiers.</li> <li>3. The proposal has addressed the reasons for refusal of the earlier application 13/0883/FUL.</li> </ol>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 72 Vinery Road is a two storey semi-detached house which is located on the eastern side of the road, adjacent to a footpath and near the corner where Vinery Road meets Seymour Street. An access drive leading to allotments passes

along the northern boundary of the site. The surrounding area is predominantly residential.

- 1.2 The site is outside the Mill Road section of the City of Cambridge Conservation Area No.1 (Central) which wraps around the site. The site is outside the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for a three storey side extension, roof extension and first floor rear extension to the existing building to create three additional flats. The extension would have an overall width of 4.4m by a length of 11.5m. There is a 1m gap between the proposed extension and the boundary of the access driveway alongside the site. The development will be finished in matching materials.

2.2 The application follows refusal on a previous application (13/0883/FUL) which was refused on the following grounds:

- a) The proposed roof extension, because of its width, mass, and the awkwardness of its junction with the hipped side roof proposed to the side extension would create a disruptive visual element in the street scene. The proposed three storey side extension, because of its width and mass, would also read awkwardly against the existing front elevation. Both elements would consequently unbalance the semi-detached pair of houses, failing to respond positively to the local character, and leaving the extended building poorly integrated into the locality.
- b) The proposed development does not make appropriate S106 provision for open space, community development and waste facilities.

- 2.3 Since the previous application the scheme has been amended so that the width of the extension has been reduced so the extended building is not double the width of the existing dwelling and does not unbalance the pair of dwellings. The extension has also been set back by 0.35m from the front of the dwelling to ensure the side extension is subservient to the pair of dwellings. The proposed roof is partially hipped to overcome concerns of poor design on the front and rear dormers. There are additional smaller windows added to the side elevation of

the flanking wall so it would add interest to the previous proposed stark flanking wall.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Location plan
3. Site/roof plan
4. Existing elevations
5. Proposed elevations
6. Existing floorplans
7. Proposed floorplans

2.5 The application is brought before East Area Committee because there are objections from third parties.

### 3.0 SITE HISTORY

Reference	Description	Outcome
13/0883/FUL	Three storey side extension, roof extension and first floor rear extension to existing building to create 3 additional flats.	Ref

### 4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies and Supplementary Planning Documents.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan	3/1 3/4 3/7 3/8 3/10 3/11 3/12 3/14

2006	4/2 4/11 5/1 8/2 8/3 8/4 8/5 8/6 8/10 10/1
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### 5.3 Relevant Central Government Guidance and Supplementary Planning Documents

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction Roof Extensions Design Guide (2003) Mill Road Area Conservation Area Appraisal (2011)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 There is the potential for additional parking demands on the on-street parking in the area. This is unlikely to have any significant adverse impact upon highway safety but may impact upon residential amenity. The vehicular crossing of the footway will need to be extended. Condition sought on unbound material on the driveway, gates retaining access free of obstruction, the specification of the access, drainage measures and visibility splays. Informatives also recommended.

### Head of Refuse and Environment

- 6.2 Conditions sought on waste storage and construction hours.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations:

- No.69 Vinery Road
- No.75 Vinery Road
- No.3 Romsey Road
- No.9 Romsey Road
- No.12 Romsey Road
- No.16 Romsey Road
- No.17 Romsey Road
- No.18 Romsey Road
- Burnside and Vinery Road allotments

7.2 The representations can be summarised as follows:

- Inappropriate scale and impact on the character of the area.
- Unsympathetic to the existing dwelling
- The extension would unbalance the semi-detached property
- The flanking wall would appear stark
- Loss of light
- Loss of view to the trees behind the property
- Increase in on-street parking
- Highway
- Additional length of drop kerb
- Access for bins and bikes

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Third party representations
5. Planning Obligation Strategy

## **Principle of Development**

- 8.2 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained within the National Planning Policy Framework 2012. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.
- 8.3 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots which remain acceptable in principle, subject to design and the impact on the open character of the area. Policy 3/10 recognises the important part of the character and amenity value gardens contribute to the City.
- 8.4 Policy 3/10 of the Cambridge Local Plan 2006, Sub-division of Existing Plots, states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) - have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
  - b) - provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
  - c) - detract from the prevailing character and appearance of the area;
  - d) - adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
  - e) - adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
  - f) - prejudice the comprehensive development of the wider area of which the site forms part.
- 8.5 Criteria d, e and f are not applicable to this site. I consider criteria a, b and c under the relevant headings below.

8.6 Subject to compliance with the criteria of Policy 3/10, which are assessed below, the principle of the new residential development is compliant with Cambridge Local Plan policies 5/1 and 3/10.

### **Context of site, design and external spaces**

8.7 The building occupies a corner location at the entrance to the Vinery Road allotments and is open to public view from a wide angle from the allotments, and streetscenes of Vinery Road and Romsey Road. Care needs to be taken in assessing the impact of what is proposed, to ensure that the development relates appropriately to the existing dwelling and is not unduly intrusive or otherwise harmful to the street scene.

8.8 I have considered the impact of the change of the design since the previous application on the semi-detached properties and in a corner location at the entrance to the allotments.

8.9 The proposed width of the extension has been reduced so the extended building is not double the width of the existing dwelling and the extension is set back by 0.35m from the front of the dwelling to ensure the side extension is subservient to the pair of dwellings. The proposed roof is partially hipped. Since the refused application 13/0083/FUL additional smaller windows have been added to the side elevation of the flanking wall so it would add interest to the previous proposed stark flanking wall. Therefore the proposed development is sympathetic to the existing dwelling and relates to the appearance of this semi-detached pair. There are a range of housing types and designs within the locality.

8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

### **Residential Amenity**

#### **Impact on amenity of neighbouring occupiers**

8.11 The proposed side extension is situated away from the adjoining neighbouring property (No.70 Vinery Road) so therefore will have no significant adverse impact on the amenity of the occupiers of that house. The proposed rear extension and rear dormer are situated to the north of No.70. The proposed rear dormer will be 1.5m away from the common

boundary with No.70. The proposed two storey rear extension will be 2.9m from the common boundary. Given the orientation and separation distance of the rear extension I do not consider there will be any significant loss of light to No.70. Given the existing mutual overlooking into rear gardens from the first floor windows, I do not consider that the proposed rear roof development would have any significant impact on privacy.

8.12 The proposed development is situated to the south of the neighbouring property (No.74 Vinery Road). The proposed side extension will be 6m from the common boundary to No.74 Vinery Road and 11m from No.76 Vinery Road. Given the separation distance of the proposed development I do not consider there will be any significant loss of light to No's.74 and 76. Windows facing No.74 will be high level so there will be no overlooking or loss of privacy.

8.13 The proposed side extension is situated away from the neighbouring properties, No'1 and 2 Waters Almhouses on Seymour Street so therefore will have no significant adverse impact on the amenity of those occupiers. The proposed rear extension and rear dormer are situated to the north west of the properties on those properties. The proposed two storey rear extension will be 10.5m from the common boundary to No.2 Waters Almshouses, Symour Street. Given the orientation and separation distance of the rear extension I do not consider there will be any significant loss of light to those at No's. 1 and 2 Water Almhouses on Seymour Street.

8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

8.15 There is adequate internal accommodation amenity. Adequate outdoor amenity space is available to the rear of the property.

8.16 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.



## **Refuse Arrangements**

- 8.17 There is a lack of details on waste storage so I attach the condition which is recommended by the Environmental Health Officer. There is a 1m gap to the side of the dwelling to enable bins to be brought out to the street.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway safety/Car and Cycle Parking**

- 8.19 There are three car parking spaces proposed and this is in accordance with the standards within the Local Plan. The application has adequate provision of 5 bicycles within the rear of the site that is in accordance with the standards within the Local Plan. There is a 1m gap to the side of the dwelling to enable bicycles to be brought out to the street. The highway authority has no concerns about highway safety. I attach the relevant condition and informatives as recommended by the highways officer.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.21 There will still be a separation distance of 6m between No.72 and No.74 Vinery Road so there will be continued views along the footpath to the trees.
- 8.22 There are three parking spaces proposed and this is in accordance with the standards within the Local Plan. Several nearby residents have raised concerns on highway safety but the highway authority has no concerns about highway safety. I attach the relevant condition and informatives as recommended by the highways officer. Vinery Road is not a classified road and so therefore it does not require planning permission to increase the length to a dropped kerb. However this would require highway consent from Cambridgeshire County Council.

## **Planning Obligation Strategy**

### **Planning Obligations**

8.23 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.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have not indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

#### Open Space

- 8.24 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.25 The application proposes the erection of three one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for

children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357	3	1071
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>1071</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	3	1210.50
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>1210.50</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	3	1089
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>1089</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such	Total £

				units	
studio	1	0	0		0
1 bed	1.5	0	0	3	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>0</b>

8.26 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and in accordance with the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

#### Community Development

8.27 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	3	3768
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>3768</b>

8.28 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

## Waste

- 8.29 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	3	450
<b>Total</b>			<b>450</b>

- 8.30 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

## Monitoring

- 8.31 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

## Planning Obligations Conclusion

- 8.32 It is my view that the planning obligation 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.

## 9.0 RECOMMENDATION

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 6 February 2014 and subject to the following conditions:**

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

6. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of the adjoining properties, and to ensure appropriate waste. (Cambridge Local Plan 2006 policies 3/4, 3/14 and 8/6)

7. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2).

**INFORMATIVE:** If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

**INFORMATIVE:** No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

**INFORMATIVE:** Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 6 February 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1, Cambridgeshire and



Peterborough Structure Plan 2003 policies P6/1 and P9/8 and the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development