



CAMBRIDGE CITY COUNCIL
The Guildhall, Cambridge, CB2 3QJ

Ref: C/0502/95

Town and Country Planning Acts 1990

REFUSAL OF PLANNING PERMISSION

To: CRANSTON CONSTRUCTION
C/O MORRIS AND PARTNERS
51 NEWNHAM ROAD
CAMBRIDGE

The Council hereby refuse permission for

OUTLINE PERMISSION FOR ONE BUNGALOW (C3).

at

REAR OF 155 VINERY ROAD (AMBLESIDE), CAMBRIDGE.

in accordance with your application dated 21.07.95

for the following reasons:-

- 01 The adjoining occupiers at 155, 159 and 151 Vinery Road and 224-230 Ross Street (whose short gardens back onto the site) would suffer an unacceptable loss of residential amenity due to the intrusion, noise and disturbance arising from a new dwelling and its associated traffic and comings and goings into what is presently a quiet garden area. This effect would be particularly acute at 159 Vinery Road. The proposal does not respect these constraints on the site and as such is contrary to Policies BE2, and NE9 and BE8(b) of the Consolidated Draft Cambridge Local Plan (September 1994).
- 02 The proposal would set a precedent for similar piecemeal backland developments which would cumulatively erode the character and townscape of the local area, which would lead to problems of noise, disturbance and loss of privacy to existing houses contrary to policies BE2 and NE9 of the Consolidated Draft Cambridge Local Plan (September 1994).

Dated: 21st September 1995

Guildhall, Cambridge, CB2 3QJ.

P. W. Shuttleworth

Director of Planning
PJK

SEE NOTES OVERLEAF

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**CAMBRIDGE
CITY COUNCIL**

Planning

Date: 17 April 1996

Land Charges
4th floor, Guildhall

Our ref: C10502/95

Your ref:

Dear Sir/Madam

Town and Country Planning Act 1990

Appeal By:- Cranston Construction

Site:- R/o 155 Vinery Road (Ambleside), Cambridge.

With reference to the above appeal I enclose the Department of the Environment Inspector's decision on this appeal.

Yours faithfully

P W STUDDERT
Director of Planning





The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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CAMBRIDGE
CB5 8DZ

Your reference:
EJW/101588
Our reference:
APP/Q0505/A/95/259899/P8
Date: 03 APR 1996

HM NR
PS/ADPL
Org & S.

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY CRANSTON CONSTRUCTION
APPLICATION NO: C/0502/95

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Cambridge City Council to refuse outline planning permission for the erection of a bungalow at rear of Ambleside, 155 Vinery Road, Cambridge. I have considered the written representations made by you and by the Council and those made by interested persons.
2. From my inspection of the site and its surroundings on 25 March 1996 and examination of the representations I consider the main issue in this case is the effect the proposal would have on the amenities of neighbours, in terms of noise, disturbance and loss of privacy.
3. Reference has been made to national planning guidance and to policies in emerging structure and local plans. These policies emphasise the importance of using derelict and under used sites within towns, including Cambridge, to meet housing targets, but also stress the need, before such sites can be considered suitable, for them to have adequate safe access, for there to be no loss of residential amenity, and for the development to respect the character of its surroundings. These are important planning policies and material considerations to which I have had regard in accordance with the requirements of section 54A of the Town & Country Planning Act 1990.
4. The appeal site is part of the rear garden of 155 Vinery Road and is bordered by the gardens of adjoining properties fronting both Vinery Road and Ross Street. There are individual instances of residential development set back from the general line of the frontage housing - the separate building at the rear of 159 and the dwelling at 145 are examples - but in the main the structures are peripheral, leaving a central garden area which, to my mind, is comparatively undisturbed.
5. The proposal would introduce a new residential structure and presence into the heart of this area, together with the consequent additional domestic outbuildings and increased activity both from occupants and vehicles, which would, in my opinion, seriously detract from the quiet garden atmosphere which neighbours could reasonably expect to enjoy.



6. As I saw on my inspection the main area of the appeal site is readily visible from several neighbouring upper floor windows - particularly those to the rear of 151 and 155 itself. Some of the principal windows in the new bungalow would be likely to face those properties, and be much closer to them than the existing rear windows of the Ross Street houses. This would, in my opinion, give rise to a significantly greater level of overlooking than at present exists.

7. I conclude, therefore, that the proposal would cause serious harm to the amenities of neighbours, by reason of noise, disturbance and loss of privacy, and that to allow it to proceed would be in conflict with the aims of the planning policy framework.

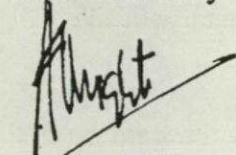
8. It has been suggested that the proposed access driveway would be very close to the existing dwellings at 155 and 159 and cause disturbance to their occupants. However, I note that 159 would be separated from the new access by its own existing drive, and that the proposal would result in the removal of a garage (and the elimination of the use associated with it) on the north side of 155 close to the common boundary with 159. Bearing these points in mind, if this had been the only matter before me I would not have considered it to be sufficiently harmful to justify dismissal of this appeal.

9. Concern has also been expressed that allowing this appeal would set a precedent which could increase the pressure for other backland developments, and I acknowledge that there are other similar nearby sites where applications could well be put forward if the principle of their acceptability became established. I have, therefore, borne this factor in mind, although it is the particular circumstances of the appeal site itself which have played the greater part in making my decision.

10. You have drawn my attention to the separate building at the rear of 159, to which I have referred earlier, and have made the point that this creates an in-depth residential use similar to that proposed by your client. While I have had regard to your view I have also been mindful that the building at 159 has its use linked specifically to the frontage development whereas the appeal proposal would be an independent residential unit, with the duplication of associated garden structures and activities this would be likely to bring. I have also taken into account all the other matters raised in the representations but they do not outweigh the considerations which have led me to my decision.

11. For the above reasons, and in exercise of powers transferred to me, I hereby dismiss this appeal.

Yours faithfully



J.F. WRIGHT FRICS
Inspector