

Application Number	17/1793/FUL	Agenda Item	
Date Received	23rd October 2017	Officer	Charlotte Burton
Target Date	18th December 2017		
Ward	Romsey		
Site	159 Vinery Road Cambridge CB1 3DW		
Proposal	Demolition of existing buildings and construction of two new buildings containing 6 x 1 bedroom apartments and 3 x 2 bedroom apartments. Provision of on-site parking and bin & bike storage.		
Applicant	Mr Kevin Johnson 29 Hop Row		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would not harm the residential amenity of neighbouring occupiers</p> <p style="padding-left: 40px;">The proposed units would have a high quality residential amenity for the future occupants</p> <p style="padding-left: 40px;">The design responds positively to the surrounding context and enhances the street scene.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises No. 159 Vinery Road which is a detached bungalow on a relatively large plot (approx. 01ha). The existing bungalow has a hipped roof and is constructed in brick and plain tiles. There is a large outbuilding at the rear and a long garden.
- 1.2 The surrounding area is predominantly residential. The properties at this end of Vinery Road have individual designs as

a result of piecemeal development over the last century. To the south is Nos. 151-155 Vinery Road and Nos. 1-4 Vinery Place, which is a recent development of 7 no. two storey properties.

- 1.3 To the north is No. 161 Vinery Road which is also a detached bungalow. The northern boundary of the application site adjoins the rear gardens of Nos. 232-242 Coldham's Lane. The western boundary adjoins the rear gardens of properties along Ross Street.
- 1.4 The site is not within a Conservation Area or the Controlled Parking Zone (CPZ). There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal is for demolition of the existing bungalow and outbuilding, and construction of two new buildings containing 6 no. 1-bedroom apartments and 3 no. 2-bedroom apartments, with associated amenity space, on-site parking, bin and bike storage, and landscaping.
- 2.2 The site would be laid out with a front block containing three units and a rear block containing six units. A new access would be created along the northern side of the site which would provide access to a parking courtyard. The site would be landscaped with hard paving and border planting.
- 2.3 The blocks would be two-and-a-half storeys and would have pitched roofs and gable ends. The rear block would have a projecting gable feature on the eastern elevation which would provide inset balconies. The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles.
- 2.4 The parking courtyard would provide 5 no. parking spaces. Cycle parking and bin storage would be provided within internalised stores for each block. Visitor cycle parking would be provided on the northern side of the site.
- 2.5 During the course of the application revised plans were submitted which included the following amendments:
 - Addition of porches to the front and side elevation of the proposed front block

3.0 SITE HISTORY

3.1 There is no relevant planning history.

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, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/13 5/1 8/2 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management

	Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection. The applicant has appraised parking demand indicating a parking shortfall within the site of 3 spaces. The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider. Recommend conditions relating to access, visibility and traffic management plan.

Environmental Health

- 6.2 No objection subject to conditions for construction hours, collection/delivery hours, noise and vibration, piling, dust, parking fences and artificial lighting. 1.8 m high timber fences shall be provided to the private garden / patio of Plot 02 and the grass private garden of Plot 07 on the ground floor to protect the amenity / quality of life of future residents from artificial lighting and noise impacts associated with vehicle movements.

Urban Design and Conservation Team

- 6.3 No objection subject to condition for materials samples.
- 6.4 The pitched roofs are in keeping with the surrounding character of the area, which is a mixed style of domestic dwellings between one and two and a half storeys. The proposal is of a similar height to the neighbouring scheme at 151-155 Vinery Road.
- 6.5 The front building appears as a single domestic dwelling and sits well within the streetscape. The block at the rear sits in line with the rear blocks at 151-155 Vinery Road. The connecting roof is lower than the pitched roofs, which breaks up the massing and allows the scheme to read as domestic scale.

- 6.6 The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles. These are all acceptable in principle, the details of which can be secured through condition.
- 6.7 Seven out of nine of the units have good quality amenity space. The two smaller units (one beds), on the upper floors of the front block, do not have private amenity space. Due to site constraints and proximity to neighbouring properties, this response is considered acceptable.
- 6.8 Concerns about the 1.5m timber fence proposed for the private amenity spaces on Plots 2 and 7, as it would degrade the overall quality of the public courtyard space. Suggest boundary walls behind the proposed landscaping to the courtyard. Plot 2 should have a 1.2m high brick wall to help manage views into the site and prevent car lights from entering into the bedrooms, as well as alleviating any privacy issues. Plot 7 should have a 600mm wall.

Landscape Architect

- 6.9 No objection subject to conditions for hard and soft landscaping details and boundary treatments. The bin collection area requires more detailed consideration but in principle, all landscape proposals are acceptable pending detail to come forward through condition.

Sustainable Drainage Officer

- 6.10 No objection subject to condition for surface water drainage scheme. The site is adjacent to an area identified at risk of surface water flooding therefore on-site ground levels should not be raised and surface water drainage exceedance flows should be routed away from this area. All new or altered external surfaces within the site boundary should be of permeable construction.
- 6.11 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 objecting to the proposal or neutral comments:

- 155 Vinery Road
- 192 Vinery Road
- 236 Ross Street (x2)
- 234 Coldham's Lane
- 236 Coldham's Lane (x2)

7.2 The representations can be summarised as follows:

- Overlooking Ross Street properties including rear windows and gardens
- Overshadowing, loss of sunlight and loss of ambient light to properties on Ross Street, Nos. 234/236 Coldham's Lane, No. 155 Vinery Road, Vineyard Place
- Loss of residential amenity in gardens of Ross Street properties and impact of loss of light on fruit/vegetable growing.
- Loss of outlook from properties on Ross Street and Coldham's Lane
- Claustrophobic impact on side passageway to No. 155 Vinery Road
- Lack of parking and impact on highway safety and residential amenity.
- Access to side elevations of proposed buildings for maintenance.
- Safe disposal of asbestos material
- Concerns about boundary between site and No. 155 Vinery Road as shown on plans
- Clarification required about how close applicants are allowed to build to site boundaries.
- Owners of private road within Vineyard Place should be consulted.

7.3 Councillor Baigent has called in the application on the grounds of the location and scale of the development.

7.4 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. Highway safety
5. Car and cycle parking
6. Refuse arrangements
7. Drainage
8. Third party representations

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider redevelopment of the site for additional units would be acceptable in principle.

Context of site, design and external spaces

8.3 This part of Vinery Road is mixed in character with a variety of bungalows and two storey dwellings. The recent development to the south comprises two storey townhouses along the Vinery Road frontage, with detached and semi-detached properties arranged around a shared access at the rear. The Vineyard Place development is contemporary in style but domestic in character. The Vineyard Place scheme has a mixture of pitched roofs on the front townhouses and gable ends on the rear dwellings.

8.4 The proposed site layout comprising two front and rear blocks accessed via a shared access and parking courtyard is similar in character to the Vineyard Place development. The units within the front block would have individual entrances, while the units within the rear block would be accessed via a central communal entrance point from the parking courtyard. The units would have access to private amenity space in the form of a

garden or balconies, except for the upper floor units within the front block.

- 8.5 In terms of the positioning of the blocks, these would sit comfortably within the site and adjacent to the development to the south. The front block would be aligned on a similar building line to the front of Nos. 151-155 Coldham's Lane, which has a staggered frontage, and would have space for soft landscaping in front. The rear block would be on a similar alignment to Nos. 3-4 Vineyard Place, albeit with a deeper two-storey element. The lower gable element on the eastern elevation incorporating inset balconies would be a subservient element which would not significantly increase the mass of the building.
- 8.6 The units would accommodate an attic storey, however the ridge and eaves heights of the front and rear blocks would be similar to the Vineyard Place development (approximately 0.4m higher). The blocks would be domestic in character, with gable ends, balconies and domestic window proportions. The addition of porches above the bin/bike stores on the front elevation and demarcating the entrances to the residential units on the side elevation also contribute towards this.
- 8.7 The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles. The variety of materials – particularly the use of zinc cladding on the projecting gables – would break up the mass of the building and add interest. These would be high quality materials and I have recommended a condition for material samples as requested by the Urban Design team.
- 8.8 The proposed landscaping scheme provides a domestic setting for the buildings, including planting along the frontage and the access, and providing buffers within the car parking area and around private amenity spaces. The Landscape Officer supports the proposal subject to conditions. Comments have been made by the Environmental Health team and Urban Design team regarding the boundaries for plots 2 and 7, which is discussed in the amenity section below. I am satisfied that this can be resolved through the hard and soft landscaping scheme condition.

- 8.9 In my opinion, the proposal would contribute positively to the character of the area and the street scene. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The neighbouring properties are those fronting Coldham's Lane to the north of the site, those fronting Ross Street to the west, Vineyard Place and Nos. 151-155 Vinery Road to the south, and No. 161 Vinery Road to the north. I have also considered the impact on the wider area.

Ross Street properties

- 8.11 The Ross Street properties are two storey semi-detached or terraced properties with long rear gardens including several outbuildings within the rearmost part of some of the gardens.

- 8.12 The proposed two-and-a-half storey rear block would be within 11.5m of the boundary and approximately 28.5m from the rear elevation of the Ross Street properties, as shown on the applicant's site plan. This is on a similar building line to the Vineyard Place units, albeit slightly closer to the boundary. The rear elevation would have two gabled elements with a ridge height of 9.3m and a slightly recessed linking element to a height of 8.7m. The ridge height would be approximately 0.4m higher than the approved Vineyard Place scheme. The width of the rear block would be 15.3m compared to 11m for the Vineyard Place scheme, albeit the rear elevation of the proposed block would be broken up by the recessed link element. Given the separation distance to the boundary, in my view the units would not be overbearing on the rear gardens. Moreover, due to the length of rear gardens, any visual impact would not harm the residential amenity of the occupants of these properties in my view.

- 8.13 In terms of overlooking, there would be four first bedroom windows, two first floor bathroom windows, and two second floor bedroom windows on the rear elevation. While I accept that there would be some direct and elevated views from these windows towards the rear gardens and the windows on the rear

elevations of the Ross Street properties, due to the separation distance, length of the gardens and the use of the windows serving bedrooms/bathrooms, in my opinion this would not result in a significant loss of privacy for the occupants of neighbouring properties. Bedrooms are typically less intensively used than living rooms. In addition, the long rear gardens of the neighboring properties mean that the most sensitive parts of the garden – typically closest to the house – are a considerable distance from the boundary.

8.14 The applicant has submitted a shadow study. The proposed rear block would be to the east of the Ross Street gardens. The shadow study shows the rear gardens would be cast in complete shadow from the rear block in the early morning in March and September, however by 9am only the rearmost part would be in shadow. The gardens would retain a good level of sunlight during the rest of the day. In my opinion, this would not have a significant adverse impact on residential amenity. The spatial relationship with Ross Street gardens is similar to the approved scheme to the south and my view is that members of the committee should be consistent in their approach to the considering the impact in this regard.

□ *Coldham's Lane*

8.15 These are a mix of semi-detached or detached two or one-and-a-half storey dwellings, again with long rear gardens which abut a shared access path along the northern boundary of the site. There are some outbuildings in the rear garden.

8.16 The side elevation of the rear block would align with the end of the gardens of Nos. 234-238 Coldham's Lane. The side elevation would be 6.8m high to the eaves and 9.3m high to the ridge, and would be approximately 15.6m long including the set-back lower element on the eastern end. I am satisfied that this would not have an adverse overbearing impact on residential amenity. As there are no windows on the proposed side elevation, there would be no overlooking. There would be minimal oblique views from the inset balconies on the eastern elevation.

8.17 The applicant has provided a second shadow study during the course of the application taken from a different perspective so that the overshadowing impact on the gardens of the Coldham's

Lane properties could be properly assessed. These gardens are to the north of the proposed rear block. The shadow study shows

- The rear block would overshadow the rearmost part of these gardens from 10am onwards in March and September. However, this shadow would not extend more than half the garden.
- The rear block would overshadow a very small strip of the rearmost part of the gardens in June.
- A large part of the gardens would be overshadowed from late morning onwards in December.

8.18 I acknowledge that there would be some additional overshadowing of these gardens. Third parties have raised concerns about the impact of this on their residential amenity, in particular because the areas at the rear of the gardens are used for growing vegetables. I appreciate this. However, the biggest impact on overshadowing would be during the winter when such uses are less intensive. The impact during March, June and September would be minor and would affect morning sunlight only. I do not consider this would impact significantly on the enjoyment of these gardens by their occupiers and, as such, would not harm residential amenity.

□ *No. 161 Vinery Road*

8.19 This is a detached bungalow adjacent to the application site. There are some windows and roof lights on the southern side elevation.

8.20 The demolition of the existing bungalow would reduce the immediate enclosure on this property. The proposed front block would be taller but would be at least 8m from the site elevation of the bungalow. I do not consider this would have an overbearing impact. The adjacent part of the application site would be used for the new access. I am satisfied that the noise and disturbance from comings and goings along the access would not be significant compared to Vinery Road. The existing timber boundary fence would be retained and a planted border would set the access off the boundary. The proposed first floor windows on the side elevation serving the stairwells would be obscure glazed and I am satisfied that there would be no loss of privacy from views from the roof lights on the northern roof slope.

□ *Vineyard Place and Nos. 151-155 Vinery Road*

8.21 I am satisfied that the alignment, positioning and scale of the proposed units relates well to the development to the south and would not harm the residential amenity of the occupants of these properties in terms of enclosure, overlooking or loss of light. There would be some views from the balconies on the eastern elevation of the rear units towards the rear gardens of the Vinery Road properties, however these views would be oblique and would be partly obscured by the existing garages. I do not consider that this would result in a significant loss of privacy.

8.22 The owner/occupier of No. 155 Vinery Road adjacent to the site has raised concerns about the height and proximity of the proposed front block to the boundary and the impact that this would have on the passageway along the side of this property and loss of light to this property. There is a first floor window on the side elevation of No. 155. Based on the approved drawings, this window is obscure glazed and serves a bathroom, so I am not concerned about the impact on this window. The passageway provides access from the front of the property to the rear garden. It is not part of this property's amenity space nor does it provide the main access. Therefore, while the proposed building would have some enclosure on this passageway, it would not harm the residential amenity of the occupants in my opinion.

□ *Wider area*

8.23 The Environmental Health Team has recommended conditions to control construction hours, collection/delivery hours, noise and vibration, piling and dust in order to protect the residential amenity of the wider area during construction. I accept this advice and have recommended conditions accordingly. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below.

8.24 For these reasons, 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, 3/7 and 3/12.

Amenity for future occupiers of the site

8.25 The floor space of the proposed units is provided in the table below. The Council has no adopted space standards and in my opinion, the units would provide a high quality internal living environment for the future occupants.

Block	Unit	Beds	Floor space (sqm)
Rear	Plot 1	1-bed	51.1
Rear	Plot 2	2-bed	81.8
Rear	Plot 3	2-bed	87.4
Rear	Plot 4	2-bed	87.4
Rear	Plot 5	1-bed	50.0
Rear	Plot 6	1-bed	50.0
Front	Plot 7	1-bed	49.6
Front	Plot 8	1-bed	48.7
Front	Plot 9	1-bed	48.7

8.26 The ground floor units on both the front and rear blocks would have access to private garden space. The gardens for plots 1 and 2 at the rear of the site are approximately 11.5m deep and are generous for 1 and 2-bed flats. These provide a high level of residential amenity for the future occupants. The upper floor units within the rear block would have balconies on the south-east elevation approximately 2m deep. These would allow practical use (e.g. table and chairs to be put outside) and, again, provide a good level of residential amenity for the units. The only units without private outdoor areas are the 1-bed maisonettes within the front block (plots 8 and 9). These are likely to be occupied by individuals or couples, and the lack of private amenity space – whilst not desirable – is not defensible as a reason for refusal. The units are unlikely to house children but are not cramped in term of space provision or in terms of outlook.

8.27 The site plan shows fences and landscaping to provide defensible space around the ground floor units. The Environmental Health team has recommended fences are installed around the private garden / patio areas adjacent to the parking courtyard in order to protect residential amenity. The Urban Design team has advised that these boundaries should be lowered in order to reduce the visual impact. I am satisfied

that a suitable boundary treatment can be agreed as part of the detailed landscaping scheme condition.

- 8.28 In my opinion, the proposal provides high quality units which would provide a good level of residential amenity for the future occupants compared to other 1 and 2-bed schemes within the city, both in terms of the internal and external spaces. I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this regard.

Highway Safety

- 8.29 The site has an existing access onto the driveway in front of the bungalow. The proposal includes the creation of a new access point on the northern side of the site. This provides access to the central parking area with 5 no. car parking spaces. The proposed site plan shows visibility splays can be accommodated within the site boundary and vehicles would be able to turn to leave the site in forward gear. The Highways Authority has not raised concerns on highway safety grounds subject to conditions for details and implementation of the access, as well as a traffic management plan during construction. I accept this advice and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.30 The proposal includes 5 no. car parking spaces serving the 9 proposed units. This is in accordance with the Council's adopted maximum car parking standards. The applicant has submitted an assessment of parking demand which indicates a shortfall within the site of 3 spaces. The streets in the vicinity provide uncontrolled parking. The Highways Authority has confirmed that additional demand for on-street parking would not have an impact on highway safety and I do not consider that it would have a significant impact on residential amenity. The future occupants would be aware of the parking situation prior to moving in and the existing demand for on-street parking in the area would only serve to discourage car-owners from choosing the units. The site is in close proximity to transport links along Coldham's Lane so the future occupants would not

need to be car-dependent. For these reasons, I consider the proposal to be compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle parking

- 8.31 The proposal provides 3 no. cycle parking spaces within an internal store in the front block and 9 no. spaces within an internal store in the rear block. This meets the Council's adopted cycle parking standards and the Cycle Parking Guide for New Residential Developments. In my opinion, the cycle parking provision is high quality and appropriate for a scheme of this nature. This would encourage the future occupants to use bikes and thereby facilitate transport modes other than reliance on cars. The proposed site plan also shows 9 no. visitor cycle parking spaces. Whilst a generous provision of visitor spaces is welcomed, this seems to be excessive and could be replaced by more landscaping. However I am satisfied that this could be resolved through the proposed landscaping condition. I consider the proposal to be compliant with Cambridge Local Plan (2006) policy 8/6.

Refuse Arrangements

- 8.32 The front and rear units would have internalised communal bin stores. A bin collection point is shown at the front of the site. I am satisfied with the capacity and convenience of the bin stores. The movement of bins to and from the collection point will need to be managed, however I do not consider it necessary to condition details of this as it will be in the interests of the site managers and future occupants to arrange this. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Drainage

- 8.33 The site is adjacent to an area identified at risk of surface water flooding, therefore the Sustainable Drainage Engineer has advised that on-site ground levels should not be raised and surface water drainage exceedance flows should be routed away from this area. In addition, all new or altered external surfaces within the site boundary should be of permeable construction.
The Sustainable Drainage Officer has recommended a

condition for a surface water drainage scheme and I accept this advice.

Third Party Representations

8.34 I have addressed these as follows:

Representation	Response
Overlooking Ross Street properties including rear windows and gardens	See relevant section above.
Overshadowing, loss of sunlight and loss of ambient light to properties on Ross Street, Nos. 234/236 Coldham's Lane, No. 155 Vinery Road, Vineyard Place	See relevant sections above.
Loss of residential amenity in gardens of Ross Street properties and impact of loss of light on fruit/vegetable growing.	See relevant sections above.
Loss of outlook from properties on Ross Street and Coldham's Lane	See relevant section above.
Claustrophobic impact on side passageway to No. 155 Vinery Road	See relevant section above.
Lack of parking and impact on highway safety and residential amenity.	See relevant section above.
Access to side elevations of proposed buildings for maintenance.	The side elevations of the front and rear blocks are in close proximity to the boundaries. Maintenance of these elevations is a matter for the applicant or future owners to consider and is not a relevant planning matter.
Safe disposal of asbestos material.	This is not a planning matter but would be controlled under other legislation.
Concerns about boundary	I have noted the

<p>between site and No. 155 Vinery Road as shown on plans</p>	<p>owner/occupier's concerns about the accuracy of the plans showing a gap between the side elevation and rear garden of No. 155 and the boundary. I understand that this gap does not exist and their property extends to the red line boundary of the application site. I have visited the site and seen this for myself. I have taken this into account in my assessment.</p>
<p>Clarification required about how close applicants are allowed to build to site boundaries.</p>	<p>There is no standard or requirement which sets a minimum distance that a building can be erected from the boundary under planning legislation.</p>
<p>Owners of private road within Vineyard Place should be consulted.</p>	<p>The Council is required to consult owners of habitable properties which share a boundary with the application site and not the owners of roads, unless these would be affected by the proposal. The proposal does not include access over the private road within Vineyard Place and therefore would not be affected by the proposal.</p>

9.0 CONCLUSION

- 9.1 The proposal has been carefully considered to follow a pattern of development that has been established in the Vineyard Place scheme. The proposal incorporates an additional attic storey while being of a similar scale and massing to the neighbouring scheme. As a result, I am satisfied that the application has demonstrated that it would not harm the residential amenity of neighbouring properties. The units would provide high quality accommodation for the future occupants. In my opinion, the scheme would contribute positively to the character of the area and enhance the street scene in this part of Vinery Road.

10.0 RECOMMENDATION

APPROVE 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. No construction work or demolition work shall be carried out or plant 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.

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

4. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

5. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted 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 details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

7. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period 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 2006 policy4/13

8. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

Reason: In the interests of highway safety.

9. Prior to commencement of use of the access hereby permitted, the access shall be constructed in accordance with details that have been submitted to and approved in writing by Local Planning Authority, in consultation with the Highway Authority. This shall include:
 - a) adequate drainage measures to prevent surface water run-off onto the adjacent public highway;
 - b) confirmation that the access where it crosses the public highway conforms to the Cambridgeshire County Council construction specification;
 - c) confirmation that no unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site; and
 - d) the access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary.Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To prevent surface water discharging to the highway (Cambridge Local Plan 2006 policy 8/2).

10. Prior to first occupation of the units hereby permitted, the access (including visibility splays) and manoeuvring area shall be provided as shown on the drawings, or in accordance with alternative details that have been submitted to and approved in writing by the local planning authority prior to installation. Development shall be carried out in accordance with the agreed details and retained free of obstruction thereafter.

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

11. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: For the safe and efficient operation of the public highway.

12. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

13. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles and following the drainage hierarchy has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:

- a) include details of all proposed SuDS features information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

- b) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

No building hereby permitted shall be occupied until infiltration testing results and revised calculations in accordance with BRE Digest 365 have been undertaken and submitted in writing to the local planning authority.

Reason: In the interests of surface water drainage management.

14. Prior to first occupation of the development hereby permitted (or in accordance with an alternative programme agreed by the local planning authority in writing), a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
 - b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
 - c) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas;
 - d) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected;
 - e) details of visitor cycle parking spaces;
 - f) details of bin collection area.

All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4 and 3/11).

15. Prior to commencement of construction of external surfaces of the development hereby permitted, samples and full details of the materials to be used in the construction of the external surfaces (including doors, windows, brickwork, cladding, rainwater goods, glass balustrades, roof tiles) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12).

16. Prior to the installation of any artificial lighting, an external artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken (horizontal / vertical isolux contour light levels and calculated glare levels) . Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded). The artificial lighting scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15).

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

- a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

MANAGEMENT PLAN INFORMATIVES: The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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 applicant's 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.

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.

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.

INFORMATIVE: The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>

INFORMATIVE: Asbestos containing materials (cement sheeting) may be present at the site. The agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site. Further information regarding safety issues can be obtained from the H.S.E.