

<b>Application Number</b>	13/0637/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd June 2013	<b>Officer</b>	Ms Nanayaa Ampoma
<b>Target Date</b>	29th July 2013		
<b>Ward</b>	Trumpington		
<b>Site</b>	8 Richard Foster Road Cambridge Cambridgeshire CB2 8DW		
<b>Proposal</b>	Provide roof and roof lights over first floor terrace, convert car port to playroom and provide storage in entrance lobby (retrospective)		
<b>Applicant</b>	Mr Benjamin Rudge 8 Richard Foster Road Cambridge Cambridgeshire CB2 8DW		

SUMMARY	The development does not accord with the Development Plan for the following reasons:  -The development would have a detrimental impact on the special architectural quality of the terrace and the character and appearance of Brooklands Conservation Area.
RECOMMENDATION	REFUSAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to No.8 Richard Foster Road, which is part of the award winning RIBA Stirling Prize Accordia development. The property is a terraced dwelling which fronts onto a public area of open grass to the west, which was the former garden and parkland to Brooklands House, a Grade II Listed Building. For this property type, vehicular access is from Richard Foster Road, an intimate mews.
- 1.2 The surrounding area is residential in nature. The site has recently been encompassed as part of an enlargement to Brooklands Avenue Conservation Area (June 2013). It is

currently outside the controlled parking zone.

## 2.0 THE PROPOSAL

2.1 The application seeks partial retrospective planning permission for the creation of a roof over the existing first floor terrace and permission for roof lights (not installed) and the conversion of the car port to a playroom with storage.

2.2 The application is accompanied by the following supporting information:

1. Plans
2. Planning statement

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/03/0332 - Reserved matters	Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning	Withdrawn
C/02/0999 - Reserve matters	Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning	Approved, Conditions
C/01/1085 - Reserved matters	Approval of siting, design and external appearance and landscaping relating to the redevelopment of 1.92 hectares of land for office development pursuant to condition 03 of	Approved, Conditions

	outline planning p	
C/00/1175 - Outline	Outline Application for 9.45ha of Residential Development (Class C3) comprising not more than 382 dwellings; together with 1.92ha office development (Class B1) comprising a total maximum floors	Approved, Conditions

3.1 The Accordia development was given outline permission under application 00/1175/OUT. The permission was given with several conditions, which remove and limit Permitted Development rights. Specifically relevant to this proposal are conditions 9 and 28. These read:

*“Condition 9: No dwelling shall be occupied until space has been laid out within the site, in accordance with the approved plans, for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning spaces provided shall thereafter be retained and shall not be used for any purpose other than the parking or turning of vehicles, unless and until adequate, alternative parking and turning space is provided to the satisfaction of the Local Planning Authority which is also to be given in writing.*

*Condition 28: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, or additions or garages shall be erected other than those expressly authorised by this permission.”*

3.2 In effect the conditions mean that permission is required for a car port conversion as well as a roof top enclosure.

3.3 Following Environment Scrutiny Committee resolution of the 11th

June 2013, the Accordia site became part of the Brooklands Avenue Conservation Area. The old appraisals are now superseded and the Accordia estate is now included within the Conservation Area. The appraisal document outlines the special qualities of the development and I have included an excerpt from Appendix 3 which states:

### **‘Justification**

13.4.1 When awarding the development the Stirling Prize in 2008, the RIBA said:

*“This is high density housing at its very best. Beautifully thought-through houses are linked by a series of public, semi-public and private but visible spaces, making the whole development a joy to walk through. Houses and flats have good sized, well proportioned rooms with views out ranging from the urban views to rural pasture. This development proves that good modern housing sells, that a committed local authority can have a very positive influence on the design, that a masterplan with a range of architects can be successful and that the very best architecture does not have to rely on gimmicks. This is a project that will be much referred to and used as a future case study.”*

13.4.2 The Accordia development has been acknowledged as one of the most important housing developments of the last few years. It follows in the footsteps of some of the SPAN housing in the 1960s and 1970s, which provided high quality, high density houses set in beautifully detailed landscapes. Cambridge City Council already has one modern housing development, a SPAN estate in Hill’s Road, as a designated Conservation Area, and there are further examples around the country including another SPAN estate in Ham, Surrey.

13.4.3 The particular features which make the Accordia development of sufficient merit to justify Conservation Area designation are:

Historic interest:

- The siting of the development within the former garden and parkland to Brooklands House, a Grade II Listed Building
- The survival of mature trees which relate to the 19th century garden and parkland
- The close spatial relationship between Brooklands House and the Accordia development
- The enclosure of the Accordia development on three sides by the Brooklands Avenue Conservation Area
- The inclusion of the Brooklands Cold War bunker, a Grade II Listed Building

Architectural interest:

- The high quality of the architecture, confirmed by several design awards
- The innovative use of building forms, and the high quality of the materials and details
- The spatial qualities of the new development

In addition, the Accordia development has particular social significance because:

- The significance of the Accordia development in terms of its social mix, its innovative building forms, and the provision of a high quality environment for its residents

The only negative feature of the area is considered to be the very recent date of construction, but it is considered that overall this is out-weighed by the many positive features of the development as detailed above.'

3.4 Richard Foster Road is typical of the architectural qualities as assessed in the appraisal, the elevation facing the former garden of Brooklands House having particular significance as it is all the more prominent.

3.5 The scheme has also won the following awards:

- RIBA Stirling Prize 2008 (the first residential scheme to do so)
- RIBA National Award 2008
- Civic Trust Award 2007
- Housing Design Awards 2006: Overall winner
- Building for Life awards: Gold Standard 2006

3.6 The site is also currently being considered for an Article 4 direction, which would further strengthen the ability of the Council to maintain the architectural cohesiveness of the buildings.

3.7 I consider the recent inclusion of the development site with the Brooklands Avenue Conservation Area together with the various awards and appraisals of its special qualities to lend significant weight to preserving its architectural quality and character.

#### 4.0 PUBLICITY

4.1 Advertisement: Yes  
Adjoining Owners: Yes  
Site Notice Displayed: Yes

#### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/14 4/11 8/2

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

Supplementary Planning Documents	Brooklands Avenue Conservation Area Appraisal 2013
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## 6.0 CONSULTATIONS

### 6.1 Cambridgeshire County Council (Highways)

- No Objection but highlights the following points: The proposal removes all off-street car parking for the dwelling unit and the roads on Accordia are about to be adopted. Following adoption it is likely that a consultation will take place regarding the implementation of parking restrictions within the development, and this may mean that the on-street parking that this development relies upon may be reduced, or removed. Therefore the allocated garages will be the only form of parking.

### 6.2 Conservation Team

- Objection: the works harm the appearance of the building and adversely affect the character and appearance of the Conservation Area

6.3 The above responses are a summary of the comments received. Full details of the consultation responses can be inspected on the application file.

## 7.0 REPRESENTATIONS

7.1 The application is brought before Committee at the request of Councillor Stuart for the following reason:

- the application raises issues of responding to context, impact on the Conservation Area and parking which need to be debated by South Area Committee.

7.2 Given the significance of the proposal, the potential to set a precedent and potential for possible enforcement action, Officers also consider it desirable that in the circumstances South Area Committee consider the proposal.

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

- 6 Richard Foster Road
- 7 Richard Foster Road
- 9 Richard Foster Road
- 9 The Steel Building, Kingfisher Way
- 2 Kingfisher Way
- 3 Henslow Mews
- 12 Henslow Mews
- Studio 4 Limehouse Cut 46 Morris Road
- Exemplar Living
- 7 Aberdeen Avenue
- 11 Aberdeen Avenue
- 14 Aberdeen Avenue
- 22 Aberdeen Avenue
- 24 Aberdeen Avenue
- 26 Aberdeen Avenue

7.4 The representations received can be summarised as follows:

- Removes much of the outstanding quality of the building
- In filling the space contradicts the aim of the architect
- Infilling the garage closes the openness of the garages
- It removes car parking
- The owners of the property were aware of the restrictions on the development when they bought it
- There have been no building controls assessment: works may be unsafe
- Development won the RIBA Stirling award and should be protected
- Set negative precedence
- Does not preserve the Conservation Area
- Creates further pressure on parking in an already congested area
- Blocks light
- Against Cambridge City policy
- Development is inappropriate
- Materials used are low quality



- The development is against the covenant
- The beauty of the Accordia development hinges on its uniformity

7.5 The above representations are a summary of the comments received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

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

1. Context, design and impact on the character and appearance of the Conservation Area
2. Residential amenity
3. Car parking
4. Third party representations

### **Context, design and impact on the character and appearance of the Conservation Area**

8.2 The key issue is whether the proposed development would have a detrimental impact on the special architectural qualities of the terrace and in so doing would also harm the character and appearance of the Conservation Area.

8.3 Policy 4/11 of the Cambridge Local Plan (2006), which governs developments in a Conservation Area states:

‘Developments within, or which affect the setting of or impact on views into and out of Conservation Areas, will only be permitted if:

- a. they retain buildings, spaces, gardens, trees, hedges, boundaries and other site features which contribute positively to the character or appearance of the area;
- b. the design of any new building or the alteration of an existing one preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it; and

c. a new or intensified use will not lead to traffic generation or other impacts which would adversely affect the Area's character.

Outline applications will not be accepted in Conservation Areas.'

8.4 In his assessment of the retrospective application, the Conservation Officer states:

*“The Richard Foster Road row of houses is a readily visible terrace with distinctive and definitive features including the multi-level open terraces. It backs onto open space and the grounds of Brooklands – a Listed Building. Both front and rear elevations are effectively perforated by the upper floor open terraces (that allow sky to be glimpsed through the building and are a feature shared by other building types on the estate such as Aberdeen Sq/Ave and Gilmour Rd) and by garaging spaces behind metal gates on the frontage.*

**Proposals:** *The conservation area appraisal notes the high quality design of the Accordia estate acknowledged by the 2008 Stirling prize. Roofing over the first floor terrace negates this important design feature and affects the visible uniformity of both the front and back of the terrace. The gap is closed and the rhythm of light and shade disrupted.*

*Conversion of the car port to playroom and creation of storage in entrance lobby: The issues are the blocking of what was intended to be a visual through space and the displacement of car parking. The former again, impacts on a design feature and is adverse in terms of the whole terrace though is not as readily visible as in the upper terrace works.”*

8.5 I am inclined to agree with this assessment. The roof extension clearly disrupts the uniformity and rhythm of the terrace. Looking from the public open space, the darkness of the enclosed terrace is readily apparent and the distinctive 'punctured' roof-scape, is lost. In my view, this is a positive design feature that should be preserved. I note that the plans include two sizeable rooflights within the structure, but my view is that any lightening of this void that would be created by the roof-lights would do little to alleviate the harm of the enclosure of the space. I acknowledge the reasons for the enclosure set out by the applicants (water leakage, lack of use, poor sunlight)

but I do not consider these overriding reasons to accept the proposal.

- 8.6 The partial enclosure of the carport, whilst not as apparent as the roofing, is in my view also an unacceptable deviation from the original building concept. This sought to bring a sense of semi-public/private space to the mews, which is tightly knit, the car-port voids providing a point of interaction for residents, revealing the interesting double aspect plan form of the unit type. This is eroded by the new walling, glazing and timber store and in my view significantly alters the visual experience and sense of place that is a key feature of the design of the terrace.
- 8.7 For these reasons, the development is unacceptable as it is harmful to the character and context of the terrace set within the Brooklands Avenue Conservation Area. Therefore, it is contrary to policies 3/4, 3/7, 3/14 and 4/11 of the Cambridge Local Plan (2006).

### **Residential Amenity**

- 8.8 The amenity impacts of the proposal are contained and I have no concerns regarding impact on neighbouring properties in terms of enclosure, overlooking, overshadowing or privacy.
- 8.9 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

### **Car Parking**

- 8.10 The Highways Officer has commented that the development has led to the loss of a carport. This does not appear to be an issue for the existing occupants although it may become so if they continue to own a car at the same point in time that a controlled parking zone is introduced to Accordia following the adoption of the roads.
- 8.11 Whilst it may be architecturally desirable to keep the void for the car port intact, in my view this need not necessarily be for the

parking of a vehicle. My experience of Accordia is that residents use such car ports for a variety of purposes, including for ancillary storage of household items and spill out amenity space.

- 8.12 Given that the adopted car parking standards do not require a minimum no. of car parking spaces to be provided for new residential uses and the close proximity of the site to the train station and other public transport services, there does not appear to be a policy reason to resist an alternative use of the space.
- 8.13 I acknowledge that there may be some residual impact on visitor provision if the current owners continue to park in visitor spaces but the indications are that controls are to be put in place which would regularise parking management across the site.
- 8.14 My view is that the occupation of a unit such as this with no on-plot car parking provision may be an entirely reasonable lifestyle choice for an occupant and the use of such spaces should not be unreasonably constrained by fear of over-spill onto allocated visitor spaces.

### **Third Party Representations**

- 8.15 Most of the third party comments received have been discussed above. However, I have also received comments regarding the materials used for the development, the breach in covenant and that the works do not adhere to building control regulations. The latter concerns are not material planning considerations. In my view, there is not necessarily an issue with the materials used; it is the physical intervention of form within key voids which dictate the recommendation for refusal.

## **9.0 CONCLUSION**

- 9.1 The application should be refused as the proposed development has a clear and harmful impact on the special character and qualities of the terrace and Brooklands Avenue Conservation

Area. Both works are out of place against the uniformity of the terrace and its openness and this devalues the integrity of the building and the terrace.

## **10.0 RECOMMENDATION**

### **REFUSE for the following reasons:**

1. The proposed conversion of the garage and the roof extension by virtue of the enclosure of the voids, detracts from the lightness and semi-open nature of the building and the rhythm and appearance of the terrace, appearing starkly out of place against the prevailing architectural uniformity. The impacts are from public vantage points and are clearly harmful to the special character and qualities of the terrace and Brooklands Avenue Conservation Area. As such, the proposal is contrary to policies 3/4, 3/7, 3/14 and 4/11 of the Cambridge Local Plan (2006).