
Appeal Decision

Site visit made on 27 January 2014

by Thomas Shields DipURP MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 February 2014

Appeal Ref: APP/Q0505/A/13/2207016

149 Histon Road, Cambridge, CB4 3JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Identified Developments Ltd against the decision of Cambridge City Council.
 - The application Ref 13/0028/FUL, dated 7 January 2013, was refused by notice dated 12 April 2013.
 - The development proposed is the erection of 15 dwellings (following the demolition of all buildings on site) comprising 6 x studio apartments and 9 x 1 bedroom flats, along with cycle parking and hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Prior to its determination by the Council the application was amended by the submission of revised drawings: PL2(90)01A, PL2(21)01A, PL2(21)02A, PL2(21)03A. At the site visit the parties clarified that these plans are incorrectly referenced on the Council's decision notice.
3. The Council was able to consider and consult upon the revised plans and hence no party would be prejudiced by my determination of the appeal in respect of them. For clarity, these are the plans I have used in reaching my decision.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposed development would prejudice the achievement of a satisfactory form of development on the remainder of site 5.07, which is allocated for housing in the Cambridge Local Plan (2006) (LP)
 - The effect of the proposal on the living conditions of residents in Nursery Walk with particular regard to noise and disturbance from vehicles using the access road
 - The effect of the proposal on the living conditions of its future residents with particular regard to its location and parking

Reasons

Development of the remainder of the site

5. The appeal site is approximately 0.11 ha in area and is part of a much larger area of land allocated for housing development¹. The remaining area of the allocated site is approximately 1.36 ha, comprising 2 parcels of land currently occupied by commercial/industrial units together with 149b Histon Road, a large industrial building.
6. LP Policy 3/6 requires that proposals for developing part of a site must demonstrate that due consideration has been given to safeguarding appropriate future developments on the remainder of the site. This is supported by LP Policy 3/10(f) which states that residential development within the curtilage of existing properties will not be permitted if it would prejudice the comprehensive development of the wider area of which the site forms part.
7. Given that the appeal site is a compact rectangular shape, confined to one rear corner and forming only a very small proportion of the allocated land, it would not prevent access to the remainder of the land or materially prejudice its future development. I acknowledge that in respect of building typologies, layout, access routes and open space, the appellants' indicative master plan for the larger site has given the Council some concern. However, in respect of the requirements of LP Policy 3/6 and 3/10(f) the master plan demonstrates that the appeal proposal would not prevent the remainder of the site from being developed for housing. I therefore conclude that the proposal would not materially conflict with the requirements of LP Policies 3/6 and 3/10(f).

Living conditions – Nursery Walk residents

8. I acknowledge that the proximity of the access road to the rear of dwellings on Nursery Walk may provide potential for the occupiers of those houses to experience a level of noise disturbance from vehicles accessing the appeal site. However, the shared boundary with the access road would separate those properties with a tall close boarded timber fence. In addition, the proposal has been designed without parking spaces so as to discourage the use of cars, and hence I consider the frequency and level of noise from vehicles using the access road would be very low and would not result in unacceptable harm to residents of Nursery Walk. As such, the proposal would accord with LP Policies 3/7 and 3/10.

Living conditions – future residents

9. The Council's second reason for refusal relates to the quality of the environment that would be created for future residents. Taken together, LP Policies 3/4 and 3/7 require, amongst other things, that new developments respond to their context and that they are well connected to and integrated with the immediate locality and the wider city. Also, that they should provide attractive, high quality, accessible, stimulating and safe living environments.
10. The appeal site is approximately 0.8 km from the city centre, located to the rear of the large industrial building at 149b Histon Road. It would be within relatively short walking distance from the nearest bus stops on Histon Road and within a few minutes walking and cycling distance from a number of shops,

¹ Local Plan site 5.07 'Willowcroft'.

supermarkets, and other facilities on Histon Road. Based on the evidence before me, and from my observations of the site and the wider area, I consider that the proposal would be sustainably located with reasonably good access to amenities and public transport facilities. Given these factors, the location of the site is appropriate for car free accommodation.

11. I acknowledge the Council's concern that with non-provision of parking spaces inappropriate car parking could cause inconvenience to residents. However, given that the location of the proposal is close to public transport and other facilities, and that a secure enclosed cycle storage facility for each unit of accommodation would be provided, the proposal would be attractive for occupation mostly to non-car owners. Hence I find the likelihood of unacceptable harm to future occupants arising from inconsiderate parking would be minimal. Consequently, I find there would be no unacceptable harm to the living conditions of future residents with regard to access to amenities and public transport facilities, or with regard to inconvenience from inconsiderate parking. As such, the proposal would not materially conflict with LP Policies 3/4 or 3/7.
12. However, the pedestrian/cycle route to the appeal site, being significantly set back from the main road, would be highly unattractive. The approach is through an overtly commercial environment and the apartments themselves would sit largely concealed and isolated at the end of a long and narrow access road behind 149b Histon Road, a sizeable industrial building. There would be, if any, very little sense of being overlooked by neighbouring properties on the approach from the main Histon Road, and hence future residents and visitors going to and from the site would be highly likely to feel unsafe, particularly more vulnerable people, and particularly so during hours of darkness. In this regard the site would not be well connected or integrated with the immediate locality.
13. I acknowledge the appellants' efforts in making the journey along the access road feel more secure in respect of lighting, surfacing and planting. However, this would not be a sufficient remedy, nor would it improve the first off-site part of the approach from the main Histon Road. I also acknowledge the comment from the police regarding the incidences and likelihood of particular types of crime in the area, and that the proposed development would be less likely to be a risk in that regard. However, it does not overcome my concerns, particularly in respect of the perception of safety in the context of the environment on the approach to the site.
14. In conclusion, the location of the proposed development would fail to provide acceptable living conditions for its future residents, contrary to the aims and objectives of LP Policies 3/4 and 3/7. As such it would also fail to accord with the overarching principles of the National Planning Policy Framework (2012).

Other matters

15. Although it does not form part of the reason for refusal the Council considers that financial contributions should be sought towards the provision of open space, community development, waste services, education, and implementation monitoring. The appellants do not dispute the need for these contributions and I have been provided with a completed planning obligation. However, there is no need for me to consider the matter further given that I have dismissed the appeal for other reasons.

16. I have considered all the other matters raised by the appellants, the Council and third parties. However, none of them individually or cumulatively outweigh the harm I have identified.

Conclusion

17. For all the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Thomas Shields

INSPECTOR