



Appeal Decision

Site visit made on 25 January 2010

by **Peter J Golder** Dip TP MRTPI

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

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Decision date:
17 February 2010

Appeal Ref: APP/Q0505/A/09/2113264

1 Ferndale Rise, Cambridge CB5 8QG

- 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 Mr Matt Beeke against the decision of Cambridge City Council.
- The application Ref 09/0293/FUL, dated 30 March 2009, was refused by notice dated 3 June 2009.
- The development proposed is demolition of existing garage and single-storey extension and erection of a two bedroom dwelling.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this case is the effect of the proposal upon the character and appearance of the locality.

Preliminary matter

3. I note the confusion regarding plans and drawing numbers. I have determined this appeal on the basis of the scheme shown on drawing (size A1) 07.491.006. This shows a front dormer window and from the officer's report which refers to a "front dormer" appears to be the scheme determined by the Council.

Reasons

4. The locality is largely residential with the continuing redevelopment of land for housing purposes both in the area generally and in close proximity of the appeal premises a notable feature. This ongoing activity adds to the eclectic mix of house types, styles, sizes and ages in the vicinity of the site. While there is little if any overall continuity in character or appearance, small pockets of housing retain some of their broad distinctive features. Examples of this are the terraced properties on the southern part of Ditton Walk, the mansard-roofed properties to the north and, as the Council notes, the two-storey semi-detached properties on the north eastern side of Ferndale Rise, of which the appeal property forms the end one.
5. The Council's concerns about the overall design of the appeal proposal relate both to its location and appearance and I take these matters in turn. Dealing firstly with location I do not agree that as a matter of principle building up to

the back edge of the footpath in this instance would be harmful to the quality of the area. To my mind Ferndale Rise marks a point of physical and visual transition in Ditton Walk. To the north the street scene is more spacious with properties set back in longer front gardens, road side parking bays, a generous grass verge and a wide cycle way/footpath. This contrasts with the much closer juxtaposition of buildings and the highway to the south. In my judgement, within this context, replacing the poor quality single storey structures which are hard upon the site boundary with a full height extension would not materially reduce the overall spaciousness or create an oppressive or dominant feature on the main road in the area. From the north the extension would be seen against the flank elevation of No 96, which projects well forward of No 1, while from the south views are restricted by the close proximity of the terraced properties to the road. The gradual stepping back of building form from Ferndale Rise in a northerly direction would be retained and the more open nature of this part of the street maintained.

6. I acknowledge what the Council says about there being no other examples of gable walls close to the footway along Ditton Walk, the "main" route in the locality. However that in itself is a reflection of the particular circumstances at the appeal site and it is these circumstances, rather than the cited examples on the flank elevations at junctions, which persuade me that this aspect of the proposal would not cause harm to the street scene along Ditton Walk or be likely to result in similar schemes which might have a cumulative impact.
7. Turning to the matter of the appearance of the proposed structure I agree with the Council that Ferndale Rise should be the main reference point for the design of a building on this site, especially one which seeks the horizontal extension of a semi-detached pair displaying similar characteristics to the other pairs in the road. While I do not consider that increasing the width of the pair, as has been carried out elsewhere in Ferndale Rise, would be inappropriate even allowing for the result being three as opposed to two dwellings, to do this without regard to other of the remaining consistent design features in the road would be unacceptable, especially as the extension would increase the prominence of the building in the street scene both in the Rise and Ditton Walk. Simply formed and unadorned hipped roofs are a principal and prominent feature of the houses fronting Ferndale Rise. The full height gable together with the long rear roof slope proposed takes no reference from this context and the proposed addition of substantial dormers only serves to emphasise the incongruity of the design in this respect. It seems to me that the design has evolved with a greater focus upon maximising the amount of accommodation which could be achieved rather than upon having full and careful regard to its context.
8. For this reason I consider the scheme, which I regard acceptable in part, has failed to take the opportunity to improve the character and quality of the area. In my view that failure is of sufficient weight to place the proposal at odds with national and regional policy which seek high quality development and in conflict with policies 3/4 and 3/12 of the Cambridge City Council Local Plan 2006 which require new buildings to respond to their context and have a positive impact through design and detailing. It is for this reason that I have decided that appeal should be dismissed.

Other matters

9. The Council's third reason for refusal relates to the lack of appropriate provision, by way of a financial contribution, for public open space or community development facilities. The appellant questions the need for such a contribution arising from the development. While the Council's broad approach to seeking contributions is supported by saved policies in the Local Plan and through its adopted Planning Obligation Strategy 2004, as well as being in line with the guidance in Circular 05/2005 about the adoption of formulae, standard charges and straightforward undertakings, I have some sympathy with the appellant's view in this instance.
10. The evidence before me provides little by way of explanation as to the nature and extent of any inadequacies in the existing provision in meeting the needs of prospective occupiers, and how and when the Council would use any contributions to remedy any inadequacies or make new provision to meet needs arising from additional development. In the absence of any specific appraisal demonstrating the requirements of policies 3/8 and 5/14 in this case I do not believe it possible to conclude that the five tests for planning obligations set out in Circular 5/2005 have been properly satisfied. Without such a demonstration I believe little weight could have been attached to the absence of an obligation or undertaking had my determination of this appeal turned on this point.

Peter J Golder

INSPECTOR

