

**WEST/CENTRAL AREA COMMITTEE MEETING – 24<sup>th</sup> February 2011**  
**Pre-Committee Amendment Sheet**

**PLANNING APPLICATIONS**

CIRCULATION: First

ITEM: APPLICATION REF: 10/0968/FUL

Location: 36 Barton Road

Target Date: 22.11.2010

To Note: Since completing the report, I have received the advice from the Joint Urban Design Team. The advice is attached to this amendment sheet as Appendix A. The advice does not cause me to alter my recommendation.

Amendments To Text:

In paragraph 9.1, “No. 24 Barton Road” should read “No. 34 Barton Road”

Since the Committee report on this application was completed, the Council has received an appeal decision notice from a Planning Inspector, which I consider to have implications for the position the Council should take at appeal on this proposal for 36 Barton Road. The Inspector’s decision concerns a different site, in a different part of the city, and a different scale of development, but notwithstanding this, it is my view that the Inspector’s comments are relevant to the application at 36 Barton Road, because of the advice he gives on the interpretation of the 2010 changes to PPS3 ‘Housing’.

The appeal concerned is at 109 Glebe Road, in Queen Edith’s ward, where an application was made to erect a block of ten apartments and two detached houses following the demolition of a single house on a large plot. The appeal was dismissed, the Inspector concurring with the Council’s view that the size and mass of the proposed apartment block would be intrusive and would compare unfavourably with the established scale and form of other dwellings in that part of Glebe Road.

However, the Inspector disagreed with the view expressed in the case officer’s report that the proposed insertion of two detached houses in the rear part of the large garden was acceptable. The officer had suggested that although the use of garden land is no longer a priority, following the removal of such land from the category of ‘previously developed land’ in the 2010 version of PPS3, the sustainable location of the site made residential development appropriate if it complied with the requirements of policy 3/10 of the Cambridge Local Plan 2006. The Inspector’s view is different; he suggests that development beyond the existing building footprint on the Glebe Road site would be possible, but any proposal to do so would need to be fully explained and justified, because the use of such land is not a priority. He also

stated that although the need to make efficient use of land, and to contribute to the city's housing stock supported the more intensive use of the site, the two detached houses proposed 'would contribute to a change in the open character of the land at the rear of the site, and that 'given the changed emphasis in PPS3(2010), they do not necessarily justify the loss of the rear garden'.

It appears to me that three key points about the impact of the changes to PPS3 emerge from this decision by the Inspector:

More intensive development within residential curtilages remains possible

Because residential gardens lie outside the 'previously developed land' which is a priority for development, any proposal to use garden land must be fully justified and explained

Considerable weight should be given to the 'open aspect' of residential gardens when assessing proposals against policies 3/4, 3/10 and 3/12.

In my view, the second and third of these points are of considerable significance in the assessment of the present proposal at 36 Barton Road. They do not alter my opinion that the Council should affirm at appeal that it would have refused the application, but they do cause me to recommend a substantial alteration to the text which I have suggested should form the Council's case at appeal, and they also cause me to offer an additional reason for refusal which could be added to the two I have recommended in the report.

I recommend that all of paragraphs 8.6 to 8.12 be deleted from the report, and replaced by the following:

- 8.6 Therefore, none of the application site is 'previously developed' land. Government advice in paragraph 41 of PPS3 (2010) is that 60% of new housing development should be on previously developed land. In paragraph 36 of the same revised statement the advice is that the priority for residential development should be previously developed land, which means that the application site cannot be considered a priority for new housing development. Any proposal to develop the site for housing must include an explanation and justification of why this low-priority site should be used. The application offers no such justification other than its 'zero-carbon' design. I do not consider that a carbon-saving design on its own would be sufficient justification for the use of this site, and, as I explain below, no detailed evidence about energy consumption or production is offered in the application in any case.
- 8.7 No explanation or justification for the principle of residential development on this site, which is not previously-developed land and must therefore be a low priority for development, is offered in this application. The open quality of this long front garden is not highlighted as of special importance in the Barton Road Suburbs and Approaches Study 2009, but it is nonetheless a very visible element (albeit a minor one) of the character of the area. In my view, the application offers no clear benefit to outweigh the loss of the open garden

space, and the proposal is in conflict with policy 5/1 of the Cambridge Local Plan (2006), and government advice in PPS3(2010).

I also recommend the deletion of paragraph 8.13 and the substitution of the following:

8.13 Were a sound justification for the principle of development on this site to be provided, however, compliance with local plan policy and with government advice in PPS1(2005) and PPS3(2010), would still require the demonstration of an appropriate response to the immediate context. In my view, the proposal fails this test for a number of reasons.

I also recommend the following alteration to paragraphs 8.19 and 8.20:

8.19 The application seeks to make use of both a large array of photovoltaic panels and a ground source heat pump to generate energy by renewable means. There is no analysis of the proportion of the house's energy needs which could be supplied in this manner, but since this proposal falls below the threshold above which policy 8/16 of the Cambridge Local Plan (2006) is applicable, such details are not required by policy. Evidence is not available to support the 'zero-carbon' claim of the application. This is in itself not a reason to refuse the application, but equally, no weight can be given to the objective of carbon saving as a justification for development on this low-priority land. The application also addresses sustainability objectives by high-specification insulation, triple-glazing, and rainwater and grey water harvesting.

8.20 In my opinion the applicants have suitably addressed the issue of sustainability. I consider it unlikely that the installation of a ground-source heat pump would be harmful to neighbouring trees; I am not convinced that the site forms part of a major wildlife corridor; I do not consider that the acknowledged diminution of the opportunities for gardening on the site would be a reason to refuse the application. These issues all underline, however, the application's failure to offer any convincing justification for the development of low-priority garden land.

#### Pre-Committee Amendments to Recommendation:

In light of the above, I suggest that the following be added as the first reason for opposing the proposed development, the previously-recommended reasons becoming 2 and 3:

1. The application provides no explanation or justification for the erection of an additional dwelling on this residential garden site, which is a low priority for housing development. The loss of the front garden and its open aspect are therefore not justified, and the development would be in conflict with policies 3/4, 3/10 and 5/1 of the Cambridge Local Plan 2006, and with government guidance in PPS3(2010).

#### DECISION:

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CIRCULATION: First

ITEM: APPLICATION REF: 10/1249/FUL

Location: Land Rear Of 34 - 38 Windsor Road

Target Date: 07.02.2011

To Note:

The following representations received were not listed within paragraph 7.3 of the report:

**30, 32, 40, 54, 103 Windsor Road, 16 Sherlock Road, 43 Hoadly Road, 9 Cavesson Court.**

Further to paragraph 8.19, I would also add the following comments regarding the impact upon numbers 30, 32 and 40 Windsor Road:

- The careful design of the rear of the proposed dwellings, and their overall distance from properties along Windsor Road, would mean there would not, in my view, be significant harm by way of visual impact.
- The proposed dwellings are sited to the north of numbers 30 to 40 Windsor Road, so there would not be any overshadowing of their gardens.

**Environmental Health Comments**

No objections subject to hours of construction conditions.

Contaminated land: no known issues.

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: None.

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 10/1222/FUL

Location: 19 The Crescent

Target Date: 26.01.2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 10/1096/FUL

Location: 60 King Street

Target Date: 14.01.2011

To Note: Councillor Rosenstiel has advised officers of his concern that the report has not addressed the issue of the residential use of the first floor of the building, by students who he understands are at Christ's College. This point has been put to the applicant who has responded advising, "I can confirm that the accommodation will be occupied by staff. The students currently living above will be relocated and we are taking over the lease of the entire property from the owners, Christ's College."

A further objection was received on Friday from 98 King Street saying that there are quite enough pubs on King Street already and that they do cause quite a bit of noise and disruption on Friday and Saturday nights

Amendments To Text:

Pre-Committee Amendments to Recommendation: That a further condition be added:

The first floor accommodation at 60 King Street shall be occupied only by a person solely or mainly employed or last employed in the business occupying the ground floor, or a partner or any resident dependants of persons employed in the ground floor Class A3 or Class A4 use.

Reason: To ensure that the first floor residential accommodation is not occupied by persons unassociated with the ground floor use, who might suffer unreasonable disturbance because of the proposed use of the premises. (Cambridge Local Plan policy 4/13)

**DECISION:**



Advice from the Joint Urban Design Team on 10/0968/FUL

### **Introduction**

We have reviewed the Design & Access Statement submitted in support of the application and very little attempt is made to justify the response on the site. No mention is made of the 'Barton Road Suburbs and Approaches study' completed in March 2009 by AHP (Architectural History Practice) for Cambridge City Council, we would have expected this given the sensitivity of the site this is something of an omission on their part. We would have expected a more reasoned exploration of options for the site and their illustration in the Design & Access Statement in line with DCLG Circular 01/2006. We would suggest that the applicant and their design team fully acquaint themselves with content of DCLG Circular 01/2006, the guidance set out in the CABE's guidance 'Design & Access Statements – how to read and write them' (2006) and the City Council's own guidance on D&A Statements. Given that this is a prominent and sensitive site, a reasoned and logical process needs to be illustrated that justifies the design response and demonstrates awareness of the site and it's surroundings.

The applicant has failed to understand the prominence and sensitivity of the site, the relationship to the surrounding context, the relationship with the existing retained property of 36 Barton Road, the relationship to 34 Barton Road and the importance of the boundary treatments and vegetation in maintaining the overall suburban character of the area. As such the application fails to meet the saved Policy 3/4 'Responding to Context' (Cambridge Local Plan 2006) in that it fails to use the characteristics of the locality to help inform the siting and massing of the proposed development.

### **Scale and Massing**

Existing properties on Barton Close and particularly 34&36 Barton Road have shallow pitch hipped roofs that help to break down the overall scale and massing of the buildings. The proposed dwelling has a more simple pitch roof form but creates a higher, more significant horizontal ridgeline compared to existing dwellings. This

aspect coupled with the increase in the overall ridge height of 0.9m when compared to 34&36 Barton Road results in a building that reads as being out of scale with these neighbouring properties.

The applicant has provided no detail of the proposed shading impact on the existing dwelling at 36 Barton Road nor the property located east of the proposed dwelling at 34 Barton Road. Given the scale concerns we would like to see the shadow impact of the proposals on both of these properties.

For these reasons the proposal fails to meet saved Policy 3/12 'The Design of New Buildings' (Cambridge Local Plan 2006) in that the new building does not demonstrate that it has a positive impact on the setting in terms of location on the site, height and scale. In addition, the application fails to meet the requirements of saved Policy 3/10 'Sub-division of Existing Plots' as inadequate information has been provided to effectively judge the impact of the proposals with regards to the impact on the amenities of neighbouring properties.

### **Architectural approach**

The existing property, and those located on Barton Close and 34 Barton Road exhibit restrained and rhythmical ordering of the elevations. Whilst the brick may be similar to that of both 34&36 Barton Road (to be covered by condition) the elevational approach is not ordered and lacks a coherent and rationalised approach.

Whilst the solar panels are required to meet the environmental credentials of the proposed building, they are unacceptable in this location due the extent of the roof which is covered by them, the reflective nature of the material, and the resulting prominence of this roof from Barton Road.

As such the proposal fails to meet saved Policy 3/12 'The Design of New Buildings' (Cambridge Local Plan 2006) in that the new building does not demonstrate that it has a positive impact on the setting in terms of location on the site, height and scale and form, materials and detailing.



### **Landscape/streetscape setting**

The existing garden of 36 Barton Road extends to approximately 40m to the south. The proposed dwelling reduces the garden to 7.5m in length and with a 1.8m high brick wall demarcating the southern boundary. The existing garden is well enclosed by an existing hedge and a number of existing mature trees 3 of which are identified in the Suburbs & Approaches Study and are covered by Tree Preservation Orders.

Whilst the Silver Birch tree, according to Arboricultural advice is not in the best condition, the tree is important in townscape terms as it filters views of Number 36 Barton Road from Barton Road. The proposals remove this tree and no replacement is indicated on plans. As such open views to 36 Barton Road will now be afforded 'urbanising' the setting of junction of Barton Road and Barton Close. The siting of the new dwelling needs to be sensitive to the setting of Barton Road/Barton Close and such an approach will understand more fully the importance of the existing landscape in providing an appropriate setting for the new as well as the existing dwelling.

The proposed 'new' boundary definition between the existing 36 Barton Road and the proposed dwelling is a 1.8m high brick wall. The prevailing character of the area, indicated in the suburbs and approaches study is that of boundaries that are 'typically marked by high hedges or wooden fences' (Barton Road page 9). The 1.8m high brick wall is therefore somewhat incongruous to the prevailing character and an extension of the existing beech hedge, identified on the submitted drawings, would create a better boundary between the two properties.

The proposals therefore fail to meet the requirements of saved Policy 3/10 'Sub-division of Existing Plots' in that it detracts from the prevailing character and appearance of the area.

### **Conclusion**

Whilst it may be possible, subject to appropriate detailed design, to develop the garden of 36 Barton Road for a single dwelling, the approach taken with this

application lacks thought and care as to the real impact of the proposals on both the streetscene of Barton Road/Barton Close and on both 34 and 36 Barton Road. Our view is that a lower, more restrained building on a smaller footprint could be possible. However this application fails to meet the requirements of saved Policies 3/4, 3/10 and 3/12 and cannot be supported in urban design terms.