



Appeal Decision

Site visit made on 14 February 2012

by David Vickery DipT&CP MRTPI

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

Decision date: 23 February 2012

Appeal Ref: APP/Q0505/A/11/2165867

Land to the rear of 82 Richmond Road, Cambridge CB4 3PT

- 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 Richmond Road (Cambridge) LLP and Mr E Seaby against the decision of Cambridge City Council.
 - The application Ref 11/0921/FUL, dated 1 August 2011, was refused by notice dated 4 November 2011.
 - The development proposed is the erection of 4 No. four-bed semi-detached residential units, together with 9 No. car parking spaces, cycle parking and associated landscaping works (following demolition of the existing outbuildings to the side and rear of 82 Richmond Road).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding residential area.

Reasons

3. The Council in its committee report and statement of case referred to financial contributions towards the provision of infrastructure (open space, outdoor and indoor sports facilities, children's space, community development facilities, household waste and recycling receptacles, life long learning and pre-school facilities). These, it was said, were required to be accordance with the Council's Planning Obligation Strategy 2010, Structure Plan policies P6/1 and P9/8, and Local Plan policies 3/7, 3/8, 3/12, 5/14 and 10/1. The appellants have submitted a completed planning obligation under section 106 of the Act to make these contributions.
4. Unfortunately, the Council did not provide me with copies of some of the above policies or the Planning Obligation Strategy. The policies that were provided, such as Structure Plan policy P9/8 and Local Plan policies 3/7 and 3/12, are generalised and do not provide the required development specific justification. More importantly, the figures required by the Council are standard, fixed payments for which no justification or explanation concerning each infrastructure provision by relating it to this particular development has been provided. I am therefore unable to assess whether the payments comply with the statutory tests in Regulation 122 of the Communities Infrastructure Levy

- Regulations 2010 and the advice in Circular 5/2005 on *Planning Obligations*. Consequently, I am unable to take the obligation into account. In any event, the obligation does not affect my assessment of the main issue.
5. The site lies on the south-eastern side of Richmond Road behind the existing houses facing the road. It is currently occupied by a number of old, vacant, garages and outhouses in a poor state of repair, many constructed of corrugated iron and timber. There are two narrow accesses to the site which run up between Nos. 78 and 82, and Nos. 90 and 94.
 6. Richmond Road, to the north-west of the site consists of 2-storey houses, mainly terraced, with pitched roofs which are set in long, narrow plots. I saw that some of the houses close to the appeal site have large rear roof extensions in various design forms. To the south-east lie a number of commercial premises and sites which are allocated for residential development, and which are screened by a number of protected trees and other vegetation.
 7. I agree with the appellant that, in the main, the site's location behind the existing houses means that it is capable of creating its own character, identity and design. But, even so, account still has to be taken of the prevalent built form and layout and the impact of the proposal on the surrounding area. I saw that the existing terraced houses in the centre of the site would be largely screened from the proposed houses by existing trees and vegetation and, in several cases, by single storey outbuildings at the end of their gardens. And the proposed houses would also be largely screened from the occupiers of No. 94 by existing protected trees.
 8. However, the proposed houses would be seen from the rear garden of No. 78, particularly in winter when there are few leaves on trees, over the hedge to the joint boundary. I am also concerned, although to a lesser extent, about the impact of the proposal as seen from No. 82 - this concern is less due to distance, the proposed bin store and landscaping opportunities beyond. The southern pair of proposed houses would be tall and bulky in both these views. This is due to the steep sided mansard roofs (containing high level windows) and a central stair tower which would give them a three-storey appearance. The height and bulk would be emphasised by the fact that these are semi-detached houses, and so they would together be perceived as one large, extensive built mass.
 9. The proposed design of the houses would be modern and distinctive, and owes little to the surrounding design forms. I do not, of itself, find that to be objectionable, but the result in this location would be a tall, massive, angular and very modern building block with strong horizontal lines, large areas of windows, and sharp set-backs between its various built elements. It would look almost commercial in its finished appearance. When seen in particular from the long rear garden of No. 78, the two houses would look intrusive, out of place, and over-dominant. I consider that this more sensitive part of the site needs to respond more flexibly and positively to the design context and built form of the surrounding houses in order to successfully integrate. And it should provide a transition in height and design style to the northern part of the site where a more modern design solution could be attempted.
 10. I appreciate that some tree planting is proposed along the common boundary to No. 78 to screen views, but they would take years to mature and I am not

convinced that any trees would successfully survive and/or flourish given the narrow planting border available and the closeness of the proposed access.

11. I therefore conclude that the proposal would seriously harm the character and appearance of the surrounding residential area. It would be contrary to the Council's design policies in its Local Plan, particularly policies 3/4 and 3/12.
12. I have considered all the other matters raised in the representations, but I find nothing of sufficient weight to override the conclusion which has led to my decision. For the reasons given above I conclude that the appeal should be dismissed.

David Vickery

INSPECTOR