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<b>Application Number</b>	04/1289/FUL	<b>Agenda Item</b>	7.1
<b>Date Received</b>	30th November 2004	<b>Officer</b>	Mr Mark Parsons
<b>Ward</b>	Abbey		
<b>Site</b>	88 & 89 Riverside Cambridge Cambridgeshire CB5 8HN		
<b>Proposal</b>	Erection of 1no. dwellinghouse.		
<b>Applicant</b>	Gordon and Helen Jackson 88 Riverside Cambridge CB5 8HN		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The existing site comprises two single storey garage structures and the end of the gardens of numbers 88 and 89 Riverside. It measures 8m by 21m with the latter providing the frontage to Stanley Road.
- 1.2 The site is located to the south east of numbers 88 and 89 Riverside (two of five terrace dwellings) and fronts onto Stanley Road to the northeast and a private access road to the south. To the southeast of the plot are a number of terraced properties with semi detached properties to the east. To the south west lies a large double garage with attached garden room at the end of the neighbours garden.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for a three-bedroom detached house, with an integral garage access opening onto Stanley Road.

## **3.0 SITE HISTORY**

- 3.1 None relevant

## **4.0 PUBLICITY**

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|---|-----|
| 4.1 Advertisement:                      | No  |
| Adjoining Owners:                       | Yes |
| Site Notice Displayed:                  | No  |
| Public Meeting/Exhibition (meeting of): | No  |
| DC Forum (meeting of):                  | No  |

## **5.0 POLICY**

### **5.1 Central Government Advice**

5.2 PPG1 General Policy and Principles (1997): Paragraph 40 states that Section 54A of the 1990 Act requires that applications for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan would not be allowed unless material considerations justify a planning permission. Paragraph 64 emphasises that account should be taken as to whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

5.3 PPG3 Housing (2000): Paragraph 1 states that new housing and residential environments should be well designed and should make a significant contribution to promoting urban renaissance and improving the quality of life. The guidance seeks to encourage a better mix in the size, type and location of housing, giving priority to re-using previously developed land within urban areas, in sustainable locations and in an efficient manner. It seeks to reduce car dependence and promote good design in order to create attractive, high quality living environments in which people will choose to live.

5.4 PPG25 Development and Flood Risk (2001): Recognises that the susceptibility of land to flooding is a material consideration and that local authorities should consider the specific risk of flooding to the development being proposed and the possible effects of the development on flood risks elsewhere in the floodplain. It also advises that the Environment Agency has the lead role in providing strategic advice on flood issues (paragraph 17). Paragraph 12 states that the precautionary principle should be applied in decision making so as to avoid or manage risk.

5.5 Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.6 Circular 1/97 - Planning Obligations: Accepts that planning obligations may enhance the quality of development and enable proposals to go ahead which might otherwise be refused.

### **5.7 Cambridgeshire and Peterborough Structure Plan 2003**

P1/2 Environmental restrictions on development

P1/3 Sustainable development in built development

P8/1 Sustainable development – links between land use and transport

Planning Obligation Related Policies

P6/1 Development-related Provision  
P9/8 Infrastructure Provision

## 5.8 Cambridge Local Plan 1996

BE1 Excellence in urban design  
BE2 Respect for the character of the site and its surroundings  
BE4 New development – impact on the townscape or landscape of the surrounding area  
BE25 The street scene – boundary walls, railings, fences and gates  
TR18 Cycling – cycle parking  
TR22 Car parking – car parking provision  
TR27 Highways – impact of new development on the road network  
NE10 Flood Risk

Planning Obligation Related Policies

E08 Environmental Improvement: priorities for environmental improvement  
CS3 Community facilities – provision with new residential development  
RL3 Open space – provision within new housing and other development

## 5.9 Supplementary Planning Guidance

**Cambridge City Council (2004) - Car and Cycle Parking Standards:** This provides revised planning guidance for the provision of car and cycle spaces for different types of development located within and outside the controlled parking zone.

**Cambridge City Council (2001) - Housing Development and Design Guide:** Provides a framework for providing good quality development that respects its surroundings and the site constraints.

**Cambridge City Council (2004) – Planning Obligation Strategy:** Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Cambridge Highways Agency)

6.1 Objection: The proposal removes two off-road parking spaces for the existing properties, and will remove one space of on-road parking, from in front of the proposed garage.

#### Head of Environmental Services

6.2 No comments received

#### Environment Agency

- 6.3 Flood risk assessment is required.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:  
85 Riverside  
86 Riverside  
89 Riverside  
155 Stanley Road

- 7.2 The representations can be summarised as follows:  
One letter of objection (86 Riverside) raises concerns regarding the following issues;

- o Development is too big for the plot.
- o Number of windows are overlooking the conservatory that adjoins the garage.

Three letters of support (85 and 89 Riverside and 155 Stanley Road) commenting that:

- o The gardens at the rear of houses 85-89 Riverside are too long and impracticable.
- o The existing garage door is covered in graffiti.
- o Rubbish being dumped because of proximity to the road.
- o The dwelling would increase security and tidy up the space.
- o Happy to see a suitable family dwelling on the site.
- o The dwelling will provide security through natural surveillance along the private access road.
- o The dwelling will visually improve the area.

- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Character, appearance and design
3. Highway safety
4. Car and cycle parking
5. Residential amenity
6. Third party representations

7. Refuse arrangements
8. Planning Obligation Strategy

### **Principle of Development**

- 8.2 The re-use of previously developed land for residential accommodation is supported by PPG3. The provision of extra housing in the City is strongly supported by the Local Plan, paragraphs 6.21 (a) and 6.33. As stated in the Local Plan, windfall sites are an essential component of future housing provision in the City. This proposal would provide one additional residential unit, maximising the use of land for residential development in accordance with PPG3 and local plan policies H01 and H05. The principle is therefore acceptable providing that the proposal satisfies other criteria.

### **Character, Appearance and Design**

- 8.3 The site is located in a residential area, with many varying types of residential accommodation in close proximity. There are traditional terrace properties located to the north west and south east with a mix of semi-detached and detached properties to the east, which are modern and not of a character with the terraced housing in design. There are a number of blocks of flats, varying in sizes, fronting Riverside to the north and west.
- 8.4 In principle it is accepted that residential development of some form, is acceptable on this site. However, in order to be wholly acceptable any proposal must be designed to respect the character, opportunities and constraints of the site and have regard to its surroundings. The proposed development has a large footprint that extends out to the boundaries of the site on the north eastern, south eastern and south western sides, with a small garden area proposed to the northwest. Given the wide bulk of the development and the relatively steep pitch the dwelling extends to 8.5m high to the ridge which, presents a large mass of building facing the side gable of 155 Stanley Road and large mass of building facing Stanley Road itself.
- 8.5 Whilst the building is large in mass it can be compared in size and bulk to the other properties in the near vicinity. The main width of the dwelling facing the private access track is 7m wide, which is very similar to the main bulk of the gable end of the terraced property opposite (155 Stanley Road). The width of the two-storey part of the dwelling fronting Stanley Road is approximately 9 metres in width, similar to the width of the two semi-detached properties opposite. The dwelling therefore in length and width is not greatly different to the other properties in the area.
- 8.6 The buildings surrounding the proposal do vary in height and mass. The two storey terrace properties that front onto Riverside are materially lower to ridge height, but are, themselves very different in scale from the blocks of flats that are adjacent. The two story terrace property (155 Stanley Road) although two storey in height has a roof conversion and large dormer window indicting a two and half storey perception. The site is slightly lower than this property and therefore whilst this dwelling may be larger than the neighbouring dwelling, when viewed in context it will not dominate the street.

- 8.7 The design of the dwelling will be very prominent in the street, especially when viewed walking up Stanley Road from the river, and on Stanley Road itself. Whilst I acknowledge that there is a mix of designs in the local area, I do not believe that the design of this dwelling complements the surrounding buildings. The building sits close to the pavement with a front elevation that is overarticulated and complex when compared to the surrounding buildings. The fussy front elevation close to the pavement edge is in stark contrast to the simplicity of the building that surrounds the site.
- 8.8 Although the types of dwelling close by alter in character they are of a similar linear form. The terrace dwellings along Stanley Road that sit at the back of the pavement are simple in their presentation to the road and have an unfussy approach. Equally the terrace properties fronting Riverside are simple in their address to the road. The flat roof semi-detached properties opposite are of simple design presenting an uncomplicated approach.
- 8.9 The design of this dwelling although facing the road in the correct manner, presents a very heavy eaves line to the road with a pronounced balcony that overcomplicates the elevation facing the road. This is very different to the simple linear forms of the surrounding dwellings and the overhanging eaves are uncharacteristic of the area. Whilst in principle there is no objection to a dwelling of this sort of scale, a dwelling of a simpler form on the roadside elevation is required to help harmonise with the surrounding dwellings. For this reason I believe that the dwelling does not constitute good design and does not respect the local townscape or relate well to its surroundings, for these reasons it also fails to recognize the constraints of the site.

### **Highway Safety and Car and Cycle Parking**

- 8.10 The Highway Authority has expressed concern with regard to the loss of parking provision for the two existing residential properties, and in addition, one on-road space will be lost with the entrance to the proposed garage. The surrounding area is not a controlled parking zone and therefore no parking restrictions are in place. There is on-road parking available along Stanley Road and along Riverside. Whilst I acknowledge the objection from the Highway Authority, I do not believe that the additional parking on-street will be to the detriment of the amenity of the existing residential units in the area, and there is sufficient space to accommodate this increase. In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P8/1 and Cambridge Local Plan (1996) policy TR27.
- 8.11 Although no parking provision for bins or bikes has been provided I am satisfied that there is adequate room within the rear garden, with access to the highway, for this element of the scheme to be conditioned if approval were to be given, and therefore find it compliant with this Council's supplementary planning guidance in the form of 'Car and Cycle Parking Standards' (2004)

### **Residential Amenity**

- 8.12 The dwelling to be considered acceptable must not harm the residential amenity of neighbouring properties. The windows for the proposed dwelling provide a number of views. To the front, the dwelling has its main outlook onto Stanley Road and has a separation of almost 13 metres with the neighbouring property. Whilst this is below the guideline set out in the Cambridge City Council - Housing Development and Design Guide (2001), given the urban nature of the location it is a typical, if not generous distance and not a reason for refusal. The proposed windows in the side elevation facing onto the private access track do not overlook any neighbouring dwellings as the terrace property opposite does not have any habitable windows in the side elevation. The windows in the rear elevation are mainly high level rooflights, with the exception of one bathroom window, which could be obscure glazed. The windows in the side elevation facing into the garden above the ground floor level are mainly high level or facing directly into the applicants garden. The only exception to this is the bedroom three window which does provide views into the neighbours garden and conservatory albeit at an obscure angle. However, as this window is close to the boundary I feel that this window would need to be obscure glazed to a height of at least 1.8 metres above first floor finished floor level, to be acceptable.
- 8.13 The proposed dwelling is a large dwelling and would need to respect the constraints of the site in terms of overbearing and dominance to the neighbouring properties. The proposal is separated from the dwellings to the east by Stanley Road, and separated from the dwelling to the southeast by the access track. There is enough separation in both instances not to cause any demonstrable harm to the neighboring properties. The only building in close proximity is the garage/conservatory building to the southwest. The bulk of the dwelling is situated next to the garage, with the single storey lean-to part of the dwelling next to the conservatory. The lean-to has a hipped part next to the conservatory before the main steep lean-to roof. Although the single storey element will be close to the conservatory room, the orientation of the proposed building (located to the northeast) will mean that very little light to the room will be lost. As this room is not part of the main dwelling, it cannot be protected to the same extent as a habitable room and in my opinion the relationship with the neighbouring property is therefore acceptable.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (1996) policy BE2, this Council's supplementary planning guidance in the form of the 'Housing Development and Design Guide' (2001) and PPG1 (paragraph 64) advice.

### **Third Party Representations**

- 8.15 I have addressed the concerns of the neighbour within the body of the report.

### **Planning Obligation Strategy**

Open space provision

- 8.16 Policies RL3 and RL4 of the Local Plan advise that new housing should include the provision of suitable formal and informal open space, for recreation and play space. The required payments will be based on the adopted guidance. Contributions must also be given towards the provision of a Children's Play Area. The total contribution being sought for open space is £3195.

#### Community Development

- 8.17 In accordance with Policy CS3 of the Local Plan, in view of the incremental impact that can be made on community facilities by all new residential development, a contribution will be required for community facilities. The total contribution being sought for community development is £1625.

The applicant has agreed to submit a unilateral undertaking for the amounts stated above.

### **9.0 RECOMMENDATION REFUSE on the grounds that:**

1. The proposed front elevation of the dwelling would present a fussy and over-articulated elevation to the road, that would make it intrusive and overly dominant in the street scene and too stark contrast to the relatively simple forms of the surrounding buildings. The greater height of what is proposed than it's neighbours, the heavy eaves of the building, and the projecting balcony will all emphasise the intrusion into the street and the failure to relate to the area or it's surroundings. For these reasons the proposal conflicts with Policies BE1, BE2 and BE4 of the Cambridge Local Plan 1996, and constitutes poor design that does not respect the character, opportunities and constraints of the site and its surroundings.
2. The submitted information fails to demonstrate adequately that the development will not contribute to the risk of flooding in the area, as not Flood Risk Assessment has been submitted with the application. The proposal is unacceptable in the absence of appropriate information to supplement the submitted development and demonstrate that there is no risk of flood. Without the information the proposal is contrary to Policy NE10 of the Cambridge Local Plan 1996, Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and PPG25 Development and Flood Risk (2001)
3. The proposed development does not make appropriate provision for public open space and community development facilities, in accordance with the following policies CS3 and RL3 of the Cambridge Local Plan 1996; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004 adopted as supplementary planning guidance by Cambridge City Council.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “ background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “ exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.