



Appeal Decision

Site visit made on 18 June 2024

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2024

Appeal Ref: APP/Q0505/W/23/3335278

17 Radegund Road, Cambridge, Cambridgeshire CB1 3RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Pradeep Sakthivel on behalf of Whitfield Portfolio Group against the decision of Cambridge City Council.
 - The application Ref is 23/01362/FUL.
 - The development proposed is erection of 2no two-storey dwellings rear of 17-19 Radegund road.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on the living conditions of the occupants of nos 17 and 19 Radegund Road, with particular regard to outlook;
 - Whether the proposed development would provide suitable living conditions for future occupants, with particular regard to outlook; and
 - The effect of the proposed development on highway safety.

Reasons

Character and appearance

3. The site comprises an area of rear garden, including a single storey double garage and driveway, associated with semi-detached dwellings nos 17 and 19 Radegund Road. Whilst behind nos 17 and 19, the site is next to a modern church with community centre, dwelling and garage, which face Suez Road.
4. The surrounding area is mainly residential in character. Radegund Road comprises large semi-detached dwellings with prominent brick front gables, white render, and hipped roofs, which are set back from the carriageway by generous front gardens, pavements, and grass verges with trees. The street has a spacious, suburban character.
5. At Suez Road, beyond the church are rows of mid-20th century terraced houses with modest front gardens, and therefore is more compact in its layout. The

church building's tall A-frame spire and two-storey dwelling are set back in the site. Buildings toward the front are flat-roofed and single storey, and the frontage has an open character.

6. The appeal site provides separation between the differing architectural styles and layout of development at Radegund Road and Suez Road, and thus makes a modest positive contribution to the character and appearance of the area.
7. The proposed development would comprise a pair of two-storey, semi-detached dwellings oriented to face Suez Road. The dwellings would occupy the full width of the site, abutting the side boundaries and the flank wall of a garage within the church site. The remaining garden area of nos 17 and 19 would be small, and the dwellings would appear uncomfortably close to the rear elevation of nos 17 and 19. The scale and mass of the proposed dwellings would therefore appear cramped within the site.
8. The dwellings would be set back from the pavement edge, and the design and materials have sought to harmonise with surrounding buildings. However, the proposed development would infill the gap between development at Radegund Road and Suez Road. The siting of the proposed dwellings would therefore erode the spacious character of area and would appear out of keeping with the established pattern of development.
9. For these reasons, the proposal would harm the character and appearance of the area. The proposal would conflict with Policy 52 of the Cambridge Local Plan 2018 (LP) which requires that, for development on sites that form part of a garden, the form, height, and layout of the proposed development be appropriate to the surrounding pattern of development and the character of the area with sufficient space around existing dwellings retained.
10. Furthermore, the proposal would conflict with LP Policies 55, 56, and 57, which require development respond positively to its context, using appropriate local characteristics to help inform the siting, massing, scale, and form, successfully integrate buildings, and have a positive impact on their setting.
11. In addition, the proposal would fail to satisfy paragraph 135 of the National Planning Policy Framework (the Framework) which requires development add to the overall quality of the area and be sympathetic to local character, including the surrounding built environment.

Living conditions – neighbouring occupants

12. The proposed development's built form would extend across the majority of the width of no 17's plot, and partly behind no 19. Whilst an area of rear gardens would be retained for nos 17 and 19, these would be severely truncated providing only limited separation between the existing dwelling's rear elevations and the flank wall of the proposed building.
13. From rear facing rooms and the back gardens of nos 17 and 19, the two-storey side elevation with gable end would appear tall and substantial in mass. The blank, brick side elevation would contribute little visual interest and would obstruct views beyond the gardens. Through its height, scale, siting and design, the proposed development would appear imposing, thus harming the outlook of occupants of nos 17 and 19.

14. The appellant has drawn my attention to two-storey extensions at nearby dwellings and suggests the neighbourhood is adaptable to accommodate extensions and modifications. However, the proposed design fails to adequately take into consideration the proximity to adjacent dwellings, setbacks, height, and scale. Having particular regard to outlook, the proposed development would harm the living conditions of occupants of nos 17 and 19.
15. The proposal would conflict with LP Policy 52 which requires the amenity of neighbouring properties be protected. In addition, the proposal would fail to comply with LP Policies 55, 56, 57, and 59, which together require development respond positively to its context, achieve successful integration of buildings, have a positive impact on their setting in terms of height, scale and form, and relate to the function of surrounding buildings.
16. The proposal would also fail to satisfy paragraph 135 of the Framework which requires development provide a high standard of amenity for existing users.

Living conditions – future occupants

17. Bedroom no 3 of each proposed dwelling would be situated at the first floor and would have an obscure-glazed window in the rear elevation. A roof light would provide an additional source of natural light but would be positioned above head height and set into the roof space, thus offering limited outlook.
18. The appellant asserts the obscure-glazed windows would be an awning-type which would offer a limited level of outlook when open. Conversely, when closed, outlook would be restricted by the obscure-glazing. Occupants of each proposed dwelling would therefore experience poor outlook from those habitable rooms. The proposal would therefore fail to provide suitable living conditions for future occupants.
19. The Council allege conflict with LP Policy 50. This policy provides standards for internal and external residential space and is therefore of limited relevance. However, the policies of the Framework are material considerations which should be considered in dealing with applications. Through its poor outlook from bedroom 3 of each dwelling, the proposal would fail to satisfy paragraph 135 of the Framework which requires development provide a high standard of amenity for future users.

Highway safety

20. The proposal would involve demolition of the existing garages and would remove the driveway parking spaces serving nos 17 and 19, thereby resulting in the loss of all on-site parking for the existing dwellings. Whilst cycle storage would be provided, the proposal would include no parking provision for motor vehicles within the site to serve either the proposed or existing dwellings.
21. The appellant asserts the absence of on-site parking is justified since the site is in an accessible location within walking distance of services and public transport. LP Policy 82 supports car-free development where its car-free status can realistically be enforced by planning obligations or on-street parking controls. However, the site is outside of any Controlled Parking Zone (CPZ), and I have been provided no planning obligation to restrict vehicle use. Therefore, no mechanism has been provided to secure a car-free development.

22. To serve the proposed two 3-bedroom dwellings, the LP's parking standards require provision of no less than 0.5 spaces per dwelling outside of CPZs. Since there would be no on-site parking provision, the proposal would fail to satisfy the parking standards.
23. The appellant asserts that in a previous scheme the council recommended against allocating space for car parking. However, the scheme comprised 1-bedroom flats, and therefore would generate different parking requirements from the appeal proposal. Furthermore, Policy 82 is clear that car-free development must be enforceable through a suitable mechanism.
24. The appellant suggests there is sufficient space to incorporate parking within the front garden of the proposed dwellings. However, parking spaces of sufficient quantity to serve the development are not indicated on the plans. Moreover, use of the front garden for parking would reduce the availability of amenity space within the site.
25. In the absence of on-site parking to serve the proposed development, and through the loss of nos 17 and 19 existing on-site parking, the proposed development would generate significant additional demand for on-street parking in an area which experiences substantial parking pressure on local roads. I therefore consider the additional demand for on-street parking arising from the development would amount to harm to highway safety.
26. For these reasons, the proposal would conflict with LP Policy 82 which indicates planning permission should not be granted where it would be contrary to the LP's parking standards and where the car-free status of the development cannot be enforced. In addition, the proposal would not satisfy paragraph 115 of the Framework which prevents development where it would have an unacceptable impact on highway safety.

Conclusion

27. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

E Dade

INSPECTOR