



Appeal Decision

Site visit made on 9 October 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16TH December 2024

Appeal Ref: APP/Q0505/W/24/3339598

140 Foster Road, Cambridge CB2 9JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr J Hartwell against the decision of Cambridge City Council.
 - The application Ref is 23/01694/PIP.
 - The development proposed is the erection of a single storey detached dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly and have treated the proposed plans as indicative.
5. Prior to the making of this recommendation, a revised National Planning Policy Framework was published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issue

6. The Council have raised no objections on the grounds of land use and the amount of development permitted. Therefore, the main issue is whether the site is suitable for residential development, having regard to its location.

Reasons for the Recommendation

7. The appeal site comprises a part of the existing rear garden of 140 Foster Road, and currently contains a metal outbuilding. The properties along this side of Foster Road have long rear gardens and contain a variety of outbuildings. The lack of development behind the properties on this side of Foster Road provides a pleasant sense of openness and acts as a buffer between these dwellings and the recent development to the rear of the site. Overall, the site contributes positively to the character of the area.
8. The proposed dwelling would not be in keeping with the prevailing linear pattern of development as it would lie in a 'backland' position. The dwelling, even one that is single-storey in height, would be significantly taller than the nearby outbuildings and thus would be much more prominent in the street scene. No other dwelling would front onto the western side of Drury Avenue, and a single-storey dwelling would be substantially at odds with the three-storey buildings on Drury Avenue.
9. My attention has been drawn to the dwelling at 112A Foster Road (No 112A), which was granted planning permission in 2003¹. However, the overriding character of the properties around the appeal site is of dwellings set within elongated plots, whereas No 112A is set behind properties which are on a bend on Foster Road and as such have smaller rear gardens. Moreover, the dwelling at No 112A is not visible from the appeal site and therefore has no bearing on the street scene at the site. Furthermore, I have limited information regarding the circumstances of the proposal at No 112A and so cannot draw any meaningful comparisons to the appeal scheme and, from the evidence before me, No 112A was approved before the adoption of the current development plan. In any event, I have determined this appeal on its own individual planning merits.
10. While the site may have access to suitable transport links, a dwelling on the appeal site would jar with the surrounding rear gardens of Foster Road, would reduce the sense of openness of the area and would fail to respect the built form of either this part of Foster Road or Drury Avenue. For these reasons, a dwelling in this location would cause harm to the character and appearance of the area and as such would be contrary to Policy 52 of the Cambridge Local Plan (2018) insofar as it requires development on sites that form part of a garden or that subdivides an existing residential plot to appropriate to the surrounding pattern of development and the character of the area.

Conclusion and Recommendation

11. There are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I recommend that the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

¹ C/03/0280/OP & 05/0103/REM

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR