

Appeal Decision

Site visit made on 26 September 2016

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 30th September 2016

Appeal Ref: APP/Q0505/D/16/3157264

15 Clarkson Road, Cambridge, Cambridgeshire CB3 0EH

- 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 Mr Howard Lyn against the decision of Cambridge City Council.
 - The application Ref 16/0705/FUL, dated 18 April 2016, was refused by notice dated 10 August 2016.
 - The development proposed is extensions and alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form does not list an applicant. Nevertheless, I have taken the name of the appellant from the appeal form.

Main Issue

3. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the West Cambridge Conservation Area and 15 Clarkson Road, a Building of Local Interest.

Reasons

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the West Cambridge Conservation Area (CA). Many of features of special interest are outlined in the West Cambridge Conservation Area Appraisal 2011 (CAA), which forms a useful basis for understanding the significance of the CA.
 5. The CA is notable for its spacious and well landscaped residential streets, predominately lined with large detached houses of the late 19th or early 20th Centuries intermingled with university buildings and open spaces. The appeal site is located within a part of the CA distinguished by long straight roads with properties set in discernable building lines with large detached properties situated towards the front of the individual plots. Behind the frontage development is large rear gardens that provide a leafy backdrop to the street scene. As such, the appeal property contributes positively to the area and is a good example of the special character of the CA as a whole.
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6. Whilst I do not consider the appeal scheme would amount to a demolition of the appeal building, the extensions and alterations proposed would be a significant remodelling. The front elevation of the existing dwelling would be retained broadly in its current form, although windows would be replaced and the chimneys reconstructed. Two storey and single storey extensions are proposed to the east, west and rear elevations. The rear extension would be large and in a contrasting style to the refurbished front elevation. The proposed outbuildings would include a double garage and bike store in the front garden and a gym located towards the rear boundary of the appeal site.
7. The appeal property, like many of the buildings in its vicinity, is partly distinguished by its broadly rectangular plan, with the building much wider than it is deep with a hipped roof. The proposed rear extension would significantly and harmfully alter the plan, roof scape and form of the existing building and would lack a sufficient degree of subservience due to the excessive depth and massing proposed. The excessive depth, gabled roof form, lack of subservience and deep and unarticulated side roof planes would result in the dwelling appearing harmfully bulky when viewed from Clarkson Road as well as oversized when viewed alongside properties nearby.
8. I also share the view of the Council that the combined effect of the proposed extensions, and the outbuildings in the front garden, would diminish the sense of space around and past the building. The retention of the beech hedge along the site frontage would only partially screen the impacts of the proposal. In any event, landscaping cannot wholly be relied on to provide sufficient screening, and thus mitigation, as it is impermanent by nature. Consequently, the proposed development would harm the character and appearance of the CA.
9. The appeal property is understood to have been constructed in 1935 and designed by notable architects. It is reasonably unaltered and in my view is an interesting and attractive building that clearly exhibits features from the period in which it was designed and constructed. The appellant suggests that it is difficult to understand how the building meets the Council's criteria for designating Buildings of Local Interest (BLI). However, it is not necessary for a building to be designated as a BLI for it to be considered a heritage asset. Notwithstanding this, the appellant's analysis has identified the building as having moderate architectural and artistic interest. As such, and taking these points together, there is no doubt in my mind that the appeal property is a heritage asset and that it warrants its designation as a BLI.
10. I have already found that the proposed side and rear extensions would harmfully alter the massing, proportions and form of the appeal building. In addition to this, the architectural language of the rear elevation would be significantly at odds with that of the existing building due to the excessive glazing and roof form. This would result in the cohesion and integrity of the existing building being severely diluted. This would harm the special interest of the appeal property as a heritage asset and BLI and its group value with 17 Clarkson Road. The alterations to the rear elevation would be visible and dominant in views from the gardens of surrounding properties and thus harmful to the character and appearance of the CA.
11. The Council have suggested that the construction of the development would harm the root protection areas (RPA) of retained trees. Nevertheless, I share the view of the appellant that the use of specialist methods for the provision of

foundations and services could be matters addressed through a suitably worded planning condition in the event the appeal was otherwise acceptable. Consequently, the works are unlikely to harm the root protection areas of the retained trees, including tree T19.

12. The Council are also concerned that in the medium to long term the proximity of the development to retained trees, namely T1–T4, would result in pressure to undertake undesirable tree works or felling. Post development pressure on noteworthy trees is an important consideration. Branch shedding, leaf litter, over shading and tree deposits can adversely affect residential living condition and place the Council under sustained pressure to permit undesirable tree works or felling.
13. However, the retention of Trees T1-T4 is unlikely to adversely impact on the living conditions of the occupants of the appeal site. This is because the crown spread of the trees would principally be in close proximity to a light weight timber bike store. I do not consider the potential effects of the trees on this structure would be a sound basis on which to permit undesirable tree works. As such, I am satisfied that any post development pressure on the trees would not be so severe as to warrant undesirable tree works as an inevitable consequence of granting planning permission.
14. In respect of Tree T9, the appellant suggests, and the Council does not disagree, that it is an invasive nuisance tree the management and removal of which would not harm the character or appearance of the CA. In any event, I share the view of the appellant's arboricultural advisor that the proposed incursion into the RPA would be minor and could be sustained by the tree without long term damage. There is no substantive evidence before me to suggest otherwise. I therefore share the view of the appellant that the effect on the existing amenity value of the retained trees would be neutral and thus the character and appearance of the CA would be preserved in this respect. The proposal would thus adhere to saved Policy 4/4 and aspects of saved Policy 4/11 of the Cambridge City Local Plan 2006 (LP).
15. Nevertheless, in other respects I have identified harm to the CA, a designated heritage asset, and the appeal building as a BLI, which is an undesignated heritage asset that positively contributes to the significance, character and appearance of a designated heritage asset (the CA). The harm that would arise would be relatively localised and would not result in the complete loss of a feature of high significance. I therefore find the harm to be less than substantial within the meaning of Paragraph 134 of the National Planning Policy Framework (the Framework).
16. In weighing the public benefits of the proposal against the harm I have identified, the appellant has suggested that the proposal would assist in returning the building to its optimum viable use as a single dwelling house. The works would also improve the thermal performance of the building and provide a positive refurbishment of the front elevation. Be that as it may, I am not at all satisfied that the scale and nature of the development proposed is necessary to achieve these aim.
17. There is nothing before me to suggest the existing building could not be converted back into a large dwelling with modest alterations and without the harmful extensions and outbuildings proposed. The works are therefore unnecessary to preserve or enhance the building and CA or better reveal

significance. As such, the factors advanced by the appellant would not amount to public benefits that can be afforded any determinative weight. As a consequence, the public benefits arising from the proposed development would not outweigh the harm I have identified, which I afford very considerable weight and importance.

18. Thus, my overall assessment is that the proposal would harm the significance of the conservation area and the special interest of the appeal property as a BLI. The setting of the CA would not be preserved. The proposal would therefore fail to adhere to the overall aims of saved Policies saved 4/11 and 4/12 of the LP, which are to preserve or enhance CAs and heritage assets. Objectives which are compatible with Section 12 of the Framework.

Other Matters

19. The concerns of interested parties in respect of biodiversity and living conditions are noted but given my findings on the main issue it is not necessary for me to consider these matters further.

Conclusion

20. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR