
Appeal Decision

Site visit made on 17 January 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/Q0505/W/16/3160648

132b Shelford Road, Trumpington, Cambridge CB2 9NE

- 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 Moy against the decision of Cambridge City Council.
 - The application Ref 15/2126/FUL, dated 10 November 2015, was refused by notice dated 3 August 2016.
 - The development proposed is the conversion of former hair salon to form one bedroom dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of former hair salon to form one bedroom dwelling at 132b Shelford Road, Trumpington, Cambridge CB2 9NE in accordance with the terms of the application, Ref 15/2126/FUL, dated 10 November 2015, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. Application drawing SF15 061.1.A shows a door in the end wall of the appeal building which would provide access from the bedroom to the garden area. The appellant has indicated that it is proposed to replace this door with a window. This change would not significantly alter the proposal considered by the Council and I see no reason why it should prejudice interested parties. Consequently, I have determined the appeal on the basis of a window rather than a door in the end wall of the building.

Main Issue

3. The main issue is whether the proposal would offer satisfactory living conditions for future occupiers with particular regard to outlook, privacy, noise and disturbance, internal layout and the provision of external space.

Reasons

Outlook, Privacy, Noise and Disturbance

4. The appeal property is a single storey rear extension to a two storey building which fronts onto Shelford Road. The proposed dwelling would be largely single aspect with all but the window referred to in paragraph 2 above facing an access drive which passes the side of the building. The drive currently provides access to a detached dwelling to the rear of the site (No 130A) and the parking spaces for the dwelling at 130. It would also provide access to the
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parking spaces for the proposed dwelling. There is no separation between the drive and the side of the appeal building.

5. The appellant gives the width of the drive as approximately 3.7m. Opposite the appeal building it is bounded by a domestic garage and a wall some 1.6m high which encloses the rear garden of No 130. Whilst these structures are fairly close to the windows of the proposed dwelling, somewhat longer views are available over and to the side of them. Consequently, I consider that the outlook from the proposed dwelling would not be unduly enclosed.
6. Pedestrians and vehicles visiting No 130A and those using the parking spaces to the rear of the site would pass by the windows of the new dwelling at close range. The Council has suggested conditions which would prevent the use of the parking to the rear of the appeal property by customers of the shop on the ground floor of No 132. With this restriction in place, the number of movements associated with the two existing dwellings is likely to be small and vehicle speeds would be low. I also saw on the site visit that works to the building have started and that the windows facing the drive are double glazed. This would help to reduce noise within the building.
7. As such, I find that the proximity of the drive would not result in unacceptable levels of privacy, noise or distance for future occupiers of the proposed dwelling. There is nothing to suggest that the setting of the dwelling would lead other concerns with regard to these matters.

Internal Layout and External Space

8. The Council has also expressed concern regarding the internal layout of the dwelling. Although it would be necessary for waste from the kitchen to be taken through the living room to get to the front door, similar arrangements are not uncommon in small dwellings and I am not persuaded that it would lead to unsatisfactory living conditions for the occupiers.
9. Neither party has drawn my attention to any policies or guidance on the amount of external space required to serve new dwellings. The external space provided for the proposed dwelling would have an area of some 12 square metres. Cycle parking and bin storage would be provided within this area. The remaining space would be small. However, the single bedroom dwelling proposed is unlikely to be occupied by households with children. The remaining space would not be unduly enclosed or overlooked and would be sufficient to allow clothes drying or sitting out. As such, I find that it would be adequate to meet the needs of future occupiers.
10. Overall therefore, I conclude that the proposal would offer satisfactory living conditions for future occupiers with particular regard to outlook, privacy, noise and disturbance, internal layout and the provision of external space. As such, it would accord with Policies 3/7 and 3/11 of the Cambridge City Council Local Plan 2016 (LP). Amongst other things, these policies require development to offer high quality living environments and provide usable, safe and enjoyable private spaces.
11. The decision notice also refers to LP Policy 3/4. However, this policy requires development to respond to the context and characteristics of its surroundings. The planning officer's report states that the proposal would comply with this

policy and there is no other evidence to suggest that the proposal would not meet its aims.

Conditions

12. The Council has suggested a list of five conditions. With amendments, I find that they meet the tests set out in the Planning Practice Guidance. In addition, a condition specifying the approved plan is necessary in the interests of certainty. A condition requiring the external area to be provided prior to the occupation of the proposed dwelling is required to safeguard the living conditions of future occupiers. I have already referred to the use of conditions to restrict the use of the parking spaces to the rear of the property in the interests of ensuring satisfactory living conditions for future occupiers. A condition requiring further details of the layout of the parking spaces to ensure efficient vehicle movements is necessary for the same reason.

Conclusion

13. For the reasons set out above, the appeal should be allowed.

Simon Warder

INSPECTOR

**Schedule of conditions attached to
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132b Shelford Road, Trumpington, Cambridge CB2 9NE**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Except that the opening in the end wall of the bedroom shall be a window, the development hereby permitted shall be carried out in accordance with the following approved plan: SF15 061.1.A
- 3) The garden area shown on the approved plan shall be fully laid out prior to the occupation of the proposed dwelling and thereafter remain for the benefit of the occupants of the proposed property.
- 4) The existing car parking area within the ownership of the applicant and defined by the blue line shown on the Location Plan included in the approved plan shall not be used for the parking of customers' vehicles or commercial vehicles.
- 5) Prior to the occupation of the dwelling hereby permitted, a sign shall be erected at the front of the driveway onto Shelford Road to warn drivers that access and parking to the rear is for private residential purposes only.
- 6) Notwithstanding the approved plan, prior to the occupation of the dwelling hereby permitted, a revised block plan showing sufficient space for cars to park and turn (in three movements) to the rear of 130 and 132 Shelford Road in relation to the proposed rear amenity space of the dwelling, shall be submitted to and approved in writing by the Local Planning Authority. The revised car parking layout shall be implemented in full prior to the occupation of the dwelling.