

Appeal Decision

Site visit made on 1 February 2017

by R W Allen B.Sc PGDip MRTPI

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

Decision date: 09 February 2017

Appeal Ref: APP/Q0505/W/16/3161602

225 Coldhams Lane, Cambridge, Cambridgeshire CB1 3HY

- 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 Duncan Taylor against the decision of Cambridge City Council.
 - The application Ref 16/0477/FUL, dated 15 March 2016, was refused by notice dated 11 May 2016.
 - The development proposed is construction of 2 x 1-bed chalets to rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of the occupiers of No 227 Coldhams Lane (No 227) and of the future occupiers of the proposed units.

Reasons

Character and appearance

3. No 225 Coldhams Lane is an end of terraced property. It is one of a number of similar dwellings which front Coldhams Lane which feature long and linear rear gardens, many of which back on to allotment gardens. The undeveloped and regimented line of these rear gardens is a strong and notable feature which positively contributes to the character and appearance of the area.
 4. I have noted the condition of the appeal site, which is largely untidy and unkempt, and that the proposed development would improve its appearance in this respect. However, the proposed building and its parking areas would encompass almost all of its site area, thus it would appear as sizeable construction on a small and cramped plot which would sit uncomfortably against its more spacious surroundings. Accordingly I do not find that the proposed development would appear as a subordinate garden building to the host property as the appellant suggests. Its size in relation to the plot would in my judgement notably depart from, and cause significant harm to the character and appearance of the area.
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5. The proposed development would not accord with policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge City Council Local Plan 2006 (with saved policies) (Local Plan). These state that development will be permitted which demonstrate that they have responded to their context and designed to provide attractive and high quality environments and have a positive impact on their setting; and that sub-division of existing plots will not be permitted if it will detract from the prevailing character and appearance of the area.

Living conditions

6. While the boundary treatment between the appeal site and No 227 is reinforced only with a low level fence, and that the rear elevation of the proposed building would be somewhat featureless, I am satisfied that the proposed building would be suitable sized and sufficiently distant from the rear elevation of the neighbour that it would not be overbearing or create a sense of enclosure to the occupiers of the neighbouring property. I am also satisfied that the presence and sizes of the two rear roof light windows would not be capable of causing any significant harm to privacy, or would it give rise to a feeling of being overlooked, as the Council suggests.
7. The garden areas for the proposed dwellings are undeniably small. However, being only one bedroomed units, I find that they are adequately sized for their intended occupants, which are only likely to be single persons or couples. Although adjacent to the access road to the allotment gardens, and as such it may not be a particularly private area, as the road is not in frequent use I do not find that this would deter or prevent the enjoyment of the space.
8. I am therefore satisfied that the proposed development would not significantly harm the living conditions of the existing occupiers at No 227 or the future occupants of the proposed units. The proposed dwellings would accord with Local Plan policies 3/10 and 3/11. These state that sub-division of existing plots will not be permitted if it will have a significant adverse impact on the amenities of neighbouring properties or fail to provide inadequate amenity space, and that external spaces must be designed as an integral part of development proposals. It would also not accord with Core Strategy policies 3/7 and 3/12, details of which I have set out above.

Other Matters

9. Concerns have been raised as to the effect of the proposed development on the local highway network and in particular refuse collection. They have not, however, been substantiated. I am satisfied that the scale of the proposed development and the level of traffic generated by its occupiers would not cause any significant harm in this regard. The Council has not raised this as an issue. Insufficient evidence has been advanced as to the ecology value of the site or the harm that would be caused by the proposal, and I have afforded little weight to these concerns in my decision.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

R Allen

INSPECTOR