

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: 16 February 2017

Appeal Ref: APP/Q0505/W/16/3161942

1 Sunnyside, Cambridge CB5 8SG

- 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 A Bacon (Trafalgar Homes (Cambridge) Ltd) against the decision of Cambridge City Council.
 - The application Ref 16/1432/FUL, dated 27 July 2016, was refused by notice dated 27 September 2016.
 - The development proposed is the conversion and extension of an existing three bedroom semi-detached house to provide 4no one bedroom apartments.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the future occupiers of the proposed units.

Reasons

3. The Council states that No 1 Sunnyside's current floor area is 90sq.m and thus below the 110sq.m threshold set by Local Plan policy 5/2 (a) to permit conversions of properties into flats. However, as is the case before me paragraph 5.5 of the preamble to the policy allows such properties to be extended in order to exceed the threshold and facilitate such conversions. Accordingly there would be no conflict with this element of the policy.
 4. Local Plan policy 5/2 also states, as set out in criterion (c), that conversions will not be permitted where the living accommodation provided would be unsatisfactory. All the proposed units would not be particularly large, but it is the upper floor units and notably unit 4 as indicated on the submitted drawings which I find somewhat objectionable. These units would be uncomfortably small, offering rather diminutively sized rooms to function as a combined living room, dining space and kitchen. This would in my judgement be unpalatable and inadequate for the future occupiers of these units even for single occupancy, and would not in my judgement amount to a satisfactory level of accommodation as self-contained units.
 5. The proposed development would provide a communal garden space, and it is not necessarily unreasonable for occupiers the upper floor flats to have to walk further to access it than those residents on the ground floor. However, as indicated on the proposed drawings, the future occupiers of the proposed upper
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floor flats would have to leave the curtilage of the property and access it via the public highway, which I do not find would be a welcomed or satisfactory arrangement. While the outdoor space for the future occupiers of the ground floor units would be small and somewhat exposed, I am not persuaded that the communal garden space behind it would be so frequently used that it would cause significant harm to privacy to the future occupiers of the those units.

6. The appellant refers to developments in the area where similar floor spaces and garden sizes were approved by the Council. However, insufficient evidence has been submitted in which I can draw any direct comparisons to them. In any event, I have made my decision on the evidence before me. The appellant has also referenced space standards in an emerging Local Plan and that only one unit falls marginally short of it. However, the Council says this document is in its infancy and that little weight can be afforded to it, which is a view I concur with.
7. I therefore find for the reasons given above that the proposed development would not offer a good level of accommodation for the future occupiers of the upper floor units, and would as a result cause significant harm to their living conditions. It would not accord with Local Plan policy H/2 which I have already discussed above. It would also not accord with Local Plan policies 3/7, 3/10 and 3/14. These state that development will be permitted which demonstrates that it is designed to provide attractive high quality and safe living environments; that residential development within the garden area or curtilage of existing properties will not be permitted if it will provide inadequate amenity space for the proposed properties; and that extensions to buildings will be permitted if they retain sufficient amenity space. As the Council has already cited Local Plan policy 3/14, I do not find Local Plan policy 3/12 is particularly relevant to the appeal.

Other Matters

8. Concerns have been raised by residents in respect to the effect of the proposed development on the local highway network caused by increased traffic in the area. I did not observe any particular traffic issues at my site visit, and no sufficient evidence is before me which suggests that the proposed development would cause any significant harm in this regard. The Council has not raised this as an issue.

Conclusion

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

R Allen

INSPECTOR