
Appeal Decision

Site visit made on 27 February 2017

by G D Grindey MSc MRTPI Tech. Cert. Arb

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

Decision date: 09 March 2017

Appeal Ref: APP/Q0505/D/16/3162240
2 Mill Street Cambridge CB1 2HP

- 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 S and Mrs N Childerley against the decision of Cambridge City Council.
 - The application Ref 16/1206/FUL, dated 28 June 2016, was refused by notice dated 10 October 2016.
 - The development proposed is rear two storey extension and rear garden studio.
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Decision

1. The appeal is dismissed.

Main Issue

2. I note that the Council issued a split decision and only objected to the rear garden studio. Accordingly I will deal only with this aspect of the original application. Thus the main issue in the determination of this appeal is the effect of the proposed studio on the living conditions of the occupiers of the main house and nearby neighbours, with particular regard to any enclosing and dominating aspect.

Reasons

3. The appeal site for the studio is at the end of a very small garden area to no 2 Mill Street. The locality is a tightly packed and densely developed part of central Cambridge, with houses on the back edge of the pavements arranged in a grid-iron pattern. All the houses hereabouts have very small rear gardens. It is clear that the part of the scheme already approved by the Council will reduce an already small amenity area.
4. There is a small poor quality shed on the site already but the proposal is to replace this with a larger studio building, incorporating desk space and a lavatory. The Grounds of Appeal describe the studio as "approximately 2.9m wide and 4.2m long and would adjoin the southern and western boundaries". Particular care is needed when considering effects on existing amenities within a densely packed residential area such as this in my view.
5. It seems to me that what little undeveloped, open areas that remain in the rear of these houses is almost a shared amenity since there is a good deal of inter-visibility. Cramming a mono-pitch structure in here, with roof lights and domestic-scale windows, would introduce intrusive additional bulk into an area

that is saturated with built development. I find this would be an oppressive and overpowering development, out of scale with the very limited space at the rear here. I think that it would make no 4 Mill Street a less pleasant place to live and also 105 Glisson Road, since it lies at right-angles and slightly lower; their rear main outlook would be very close to this building.

6. Occupants all round would feel cramped and oppressed by the proximity of this building. While the windows would be about 1.5m from ground level (and thus would not be easy to look out from) there would still be a perception of being overlooked from very close quarters, brought about by the simple presence of the 2 high-level windows and a row of 3 rooflights too.
7. Once the approved house extension is constructed, there would be only about 2.5m depth of garden space remaining for no 2 if the studio were to be constructed. The occupants would have almost no rear garden area in which to carry out normal domestic activities like children's play, sitting out or gardening. Indeed, there would barely be room for domestic re-cycling facilities/bins, bicycles etc. It would leave the main outlook from no 2 Mill Street very limited and hemmed in.
8. The Design and Access Statement states that a lavatory is necessary in the studio to "enable working from home without disturbing other residents". If this reluctance to enter the main house is a priority, then it may well also result in a greater use of the very narrow alley behind no 4 and which passes between and beneath no 4 and no 6. The home worker, not wishing to disturb the occupants of the main house, could use this minor alley as the main access to this separate room frequently, with potentially greater disturbance to neighbours as the security door at the pavement end slams, for example.
9. The appellant submits that the refusal of permission for the studio is inconsistent with other recent decisions by the Council. However, I have insufficient information to draw any direct parallels. While the Council may have permitted other studios elsewhere I am not aware of the decision process on those applications, have not visited the sites and cannot comment on the merits of those decisions. It is rare that direct parallels can be drawn between 1 site and another, there may well be differences in terms of orientation, existing density or other characteristics; I do not know. I have dealt with this scheme on its merits.
10. For the above reasons I find that the scheme would not comply with the terms of policy 3/12 of the Local Plan, in that the studio would not have a positive impact on its setting in terms of location on site, height, scale and form. The purpose of this policy is consistent with the National Planning Policy Guidance which seeks, always, to secure a good standard of amenity for all existing and future occupants of land and buildings. The proposals would fail to do this.
11. I note that the site lies within the Central Conservation Area, where there is a statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. I agree with the Council's view that the scheme would have a neutral effect on the character or appearance.¹

¹ Paragraph 9.1 in the Officer's report states "would not be out-of-keeping"

12. I have taken account of all other matters raised but find nothing changes my decision on this appeal. I note that much of the appellant's grounds of appeal comment on the procedure by which the Council came to the decision that it did; this is not a matter for me.

Gyllian D Grindey

Inspector