

Appeal Decision

Site visit made on 14 March 2017

by JP Sargent BA(Hons) MA MRTPI

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

Decision date: 5 April 2017

Appeal Ref: APP/Q0505/W/16/3164510

64 Cromwell Road, Cambridge, Cambridgeshire CB1 3EG

- 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 Mrs Elizabeth Ward against the decision of Cambridge City Council.
 - The application Ref 16/0555/FUL, dated 24 March 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the extension and subdivision of the existing house to create 3 self-contained apartments.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues in this case are the effect of the development on the character and appearance of the area, and the impact on the living conditions of residents at 66 Cromwell Road with regard to outlook.

Reasons

Character and appearance

3. The appeal concerns a semi-detached former dwelling that is now used as a house in multiple occupation. It sits in a row of similar buildings along Cromwell Road although alterations and extensions over time mean differences between the properties are apparent.
 4. It is proposed to erect a 2-storey extension to project some 4m from the rear wall, increase the height of an existing 2-storey side extension, change the hipped roof to a gabled treatment, form a mansard on the rear over the proposed extension and use the resultant 3 storey property as 3 apartments.
 5. However, since the application subject of this appeal was refused, planning permission has been granted for a revised scheme (the revised scheme), which is very similar to the one now before me. However, in the revised scheme the extensions to the side and rear would be lower while the rear extension would project 1m less from the back elevation, with the mansard above being also reduced by a similar amount. The overall height of the works would not be different though. I have no reason to consider that if I dismissed this appeal the revised scheme would not be built instead and so I give it significant weight as a 'fall back' option.
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6. I raise no objections to the alterations to the hip roof, to the principle of a 2-storey full-width rear extension, to the addition of a mansard or to the change of use to 3 apartments, as all these have been established under the revised scheme. As a result, I focus on the principal differences, namely the additional height of the side extension, and the extra height and projection of the rear addition.
7. Starting first with the side extension, this currently rises a little above the eaves of the side roof slope. The revised scheme showed this element being slightly lower so it would be the same height as the eaves, but what is before me would be some 0.7m higher than the existing eaves.
8. However, this element is already a feature that is not replicated in the street-scape though as it is roughly 4m down the side elevation it is not apparent when travelling southwards and can only be seen from a short stretch of the road when going in the opposite direction. Its position beyond the ridge and its intended rendered finish would mean it would be visually distinct and separate from the original building, while the gable would differentiate this property from many of the others on the road in any event. Moreover, from the front the nearest gutter line would be on the front elevation and so the disparity in height would not be strongly apparent. Finally, it would not be readily visible in the neighbouring back gardens or on the lane behind, due to the rear extension and the limited space between this building and 62 Cromwell Road. Taking these factors together I consider that the increased height of the side extension would not appear discordant or alien on the property.
9. On the revised scheme the extension at the rear would be to eaves height with the mansard above, but on the works before me the rear extension would again be 0.7m higher. As stated, it would also project out further. However, there is no strong rhythm to the back of the houses on Cromwell Road due to the variety of rear extensions that have been built, while in most views the extension's relationship to the eaves line would not be strong due to its projection and its screening effect. Given this and mindful the mansard and a full-width extension were accepted under the revised scheme, what is now proposed would not cause visual harm or appear discordant when seen from the lane behind and the backs of the houses around. Whilst the side of the rear extension could be seen from Cromwell Road it would only be glimpsed and would contain detailing in any event, and so again would not cause harm.
10. Accordingly I conclude the development would not detract unacceptably from the character or appearance of the area, and so in this regard would not conflict with Policies 3/4, 3/7 and 3/14 in the *Cambridge City Council Local Plan 2006*, which seek attractive and well-designed development that responds to its local context.

Living conditions

11. The adjoining property, No 66, has a single storey rear extension that includes a south-facing window overlooking the appeal site across a narrow yard area. The parties appear to be uncertain as to the use of the room served by this window. Whilst the appellant states it is for the Council to show it is to a habitable room, her daylight and sunlight assessment assumes it is a bedroom, and it was accepted it had a smaller east-facing window as well. Taking

together my observations, the nature of the window and the presence of the secondary window, it is fair to assume the room it serves is of significant size and, whether a bedroom or some other similar use, it is reasonable to conclude it is a principal room. I shall therefore proceed on that basis.

12. The rear extensions in the proposed and revised schemes would be very close to this window, separated mainly by just the narrow yard. Whilst the outlook from this room would be affected to some extent by the rear extension in the revised scheme, it would be at or near the end of that extension, and so an element of the outlook could well remain beyond. What is now proposed would project only 1m further. However, to my mind this additional length would be sufficient to enclose this window to an appreciably greater extent. As a result, given its closeness it would significantly dominate and diminish the outlook in that room and so cause an unacceptable harm to the living conditions enjoyed there.
13. The pitch of the mansard on the proposal would be slightly different to that of the revised scheme, but its proximity to this window at No 66 means this would have no material effect on the outlook experienced. Moreover the second window that is said to be serving that room is smaller and so I anticipate it contributes less to the living conditions available.
14. The extension approved under the revised scheme would have some effect on the outlook available in the room served by the rear patio door and first floor bedroom window at No 66, due to its height and projection. Although the rear extension now proposed would be longer and would have higher eaves, its relationship to this door and window means these differences would have no material effect on the living conditions experienced in those rooms.
15. The yard between the patio door at No 66 and the garden is a functional area to allow access between the 2, and so the living conditions it provides need not be safeguarded to any significant degree.
16. Accordingly, I conclude the proposal would detract unacceptably from the living conditions at No 66 because of their effect on outlook, and so in this regard it would conflict with Policy 3/14 in the Local Plan, which seeks to resist development that would visually dominate neighbouring properties.

Other matters

17. The appellant said this scheme would improve the building's appearance and provide much-needed housing and a more efficient use of the property. However, I understand that such benefits would also result from the revised scheme and so I am not satisfied they would justify the harm now before me. She also said that when compared to the revised scheme the proposal would provide larger, more spacious accommodation. Such matters though have to be balanced against harm and, as the revised scheme would provide suitable but smaller units, this does not outweigh my concerns.
18. I have no reason to consider parking and the storage for cycles and refuse would not be satisfactory.

Conclusions

19. Accordingly, whilst I have found the proposal would not harm the character and appearance of the area and I have noted the benefits stated, even if taken together I conclude these matters do not outweigh the harm that would be caused to the living conditions at No 66. I therefore conclude the development would be unacceptable and so would conflict with the development plan when taken as a whole.

J P Sargent

INSPECTOR