
Appeal Decision

Site visit made on 31 October 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 4th December 2017

Appeal Ref: APP/Q0505/W/17/3180406

Land at and to the rear of 113 Chesterton Road, Cambridge CB4 3AR

- 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 BW Developments Ltd. against the decision of Cambridge City Council.
 - The application Ref 16/2235/FUL, dated 21 December 2016, was refused by notice dated 12 May 2017.
 - The development proposed is the erection of a new building adjoining 113 Chesterton Road containing three 1 x bed flats and the introduction of a terrace to one of the existing flats within 113, along with associated landscaping and car and cycle parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of the adjoining occupiers at 111 Chesterton Road and 2 Croft Holme Lane with particular regard to outlook, light and whether it would be overbearing.

Reasons

3. The appeal site comprises a mid-terraced property fronting onto Chesterton Road which has a rear garden and parking area accessed from Croft Holme Lane. The site is located within the Central Cambridge Conservation Area and forms part of an attractive row of houses, some of which have been extended and altered.
4. The proposal would introduce a two storey rear extension, which would extend from the existing rear element of the building. This would run alongside the boundary wall with No 111 and would extend into the existing parking area. The adjoining dwelling at No 111 has a series of 2-storey and single-storey extensions running alongside the boundary wall, which would serve to reduce the visual impact of the proposed development somewhat. However, the proposed extension would be a significant addition to the property, set just 1m from the side boundary to No 111. Furthermore, it would run along the majority of that boundary, leaving only around 5 metres of the rearmost part of the garden not bounded by the proposed development. This, in combination with the height of the development, would result in an overbearing form of development. It would create a significant sense of enclosure to the majority of the rear garden of No 111 and harm the outlook from that property.

Consequently, although there would not be harmful overshadowing or overlooking in relation to No 111, living conditions at that property would be materially harmed. This would not be sufficiently mitigated by the separation distance, the existing boundary wall, and the location of the ridge away from the boundary with No 111.

5. No 2 Croft Holme Lane is located directly to the north of the appeal site and is served by very limited amenity space. The submitted sunpath diagrams show that there would be no overshadowing impacts over and above that caused by the existing boundary wall. However, the width and height of the proposed extension, which would be located only approximately 6.6 metres from the boundary wall, and in line with the only small area of outdoor space, would result in a dominant feature upon the outdoor area and as a result would cause significant harm to the outlook from the outdoor space and therefore to the living conditions of the occupiers of No 2.
6. Although the nature of the development in this location is relatively tight-knit and no overshadowing or overlooking would be likely on either No 111 or No 2 from the proposed development, the bulk, length and dominance of the proposal would result in a sense of enclosure and harm to the existing garden areas and outlook from the properties. For the above reasons I conclude that living conditions would be harmed at both No 111 and No 2. Consequently, the proposal fails to comply with the requirements of Policies 3/10 and 3/14 of the Cambridge City Council Local Plan (2006). These policies seek to ensure that residential development within the garden area or curtilage of existing properties do not have a significant adverse impact on the amenities of neighbouring properties and that extending existing buildings would not unreasonably overlook, overshadow or visually dominate neighbouring properties. The fact that the Council do not have specific separation distances does not alter my view that the development fails to comply with the above policies.

Other Matters

7. The location of the site is within the northern part of the Central Cambridge Conservation Area. The proposal would be subservient to and preserve the character of the existing building, and is satisfactory in terms of its scale and design. The use of a mix of brick, timber cladding and a more contemporary zinc cladding would also be appropriate within the wider context. Furthermore, due to the proposed location there would be only glimpses of the development via the vehicular access off Croft Holme Lane. As such, the character and appearance of the Conservation Area would be preserved. My finding on this matter does not alter my view that the development would be harmful overall, for the reasons I have given.
8. The proposed development would provide additional high quality living accommodation in a location which is well related to services and facilities, but that does not outweigh the harm I have found.

Conclusion

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

R Norman INSPECTOR