
Appeal Decision

Site visit made on 2 July 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/Q0505/D/19/3227877
26 Brunswick Terrace, Cambridge CB5 8DG

- 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 Dan O'Neill against the decision of Cambridge City Council.
 - The application Ref 18/1713/FUL, dated 2 November 2018, was refused by notice dated 1 April 2019.
 - The development proposed is the addition of a ground floor, single storey extension and a dormer window to the rear of the property. Internal refurbishment and the addition of two high level frosted windows and planting to the passageway of which part is owned by the applicant.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Riverside and Stourbridge Conservation Area.

Reasons

3. The appeal property is positioned at the end of a terrace of 8, modern 2 storey houses within the Riverside and Stourbridge Common Conservation Area. The appeal property (and terrace group) is unlisted and has not been identified within the Riverside and Stourbridge Common Area Conservation Area Appraisal March 2012 as either a positive unlisted building or a building that detracts in the Conservation Area (CA). The CA is dominated by three large open spaces which penetrate the city together with associated development along the fringes, mainly terraced housing. The repetition of the terraced housing within this part of the CA, which has been designed with a variety of architectural detail, is an important component of its significance.
4. Whilst the terrace in question is a modern addition to the CA it does display a uniformity and repetition in its design and exhibits a regular appearance to the street scene. Many of the properties within the terrace have been extended with ground floor rear extensions in a variety of styles. The roof plane to the rear is interrupted only by a small step and minor accretions such as flues. The roof has not been extended and therefore remains unbroken with a unified and unaltered form. This unity is an important component in the overall character

- and appearance of the terrace and its contribution to the quality of the wider roof scape and the CA.
5. The rooflights proposed in the front elevation would not dominate the roof scape. However, the proposed dormer would occupy a large proportion of the depth and width of the rear roof slope of the property. It would have a box like form, giving it a stark and discordant appearance on the roof. More significantly, the proposed dormer would disrupt the architectural unity currently evident in the roof of the terrace. This harm would be increased by the position of the dormer at the end of the terrace creating an unbalanced form when viewed from the public areas to the rear. Thus, the dormer would be an undesirable incremental change that would erode the overall character and quality of the area. In this respect, the proposal would harm the character and appearance of the CA.
 6. The dormer would be visible from the side passageway linking Brunswick Terrace and Parsonage Street, but I do not share the Council's concerns that it would unacceptably loom over the passageway. The dormer would be stepped in from the side and the change in material would clearly distinguish it from the side wall. The appellant has highlighted a similar arrangement adjacent to the passageway at North Terrace and I agree that this relationship does not dominate. Furthermore, the softening emanating from the proposed planting and the introduction of the side windows would break up the side wall and add an element of interest. Such factors would ensure that the dormer would not unacceptably loom over the passageway.
 7. I have considered the other dormer locations within this part of the CA highlighted by the appellant, including that at 29 Parsonage Street. However, the circumstances that applied to those cases are not directly comparable to the appeal site and its relationship with the terrace group. The Council state that the dormer at 29 Parsonage Street has not been constructed in accordance with the approved drawings. Even taking a worse case scenario, the context in which the dormer is positioned is not directly comparable to the appeal site. 29 Parsonage Street is a central property, within a terrace of 3. Any dormer is seen in direct combination with other features within the terrace such as chimney stacks and 2 storey rear projections. This contrasts with the longer, largely unbroken rear roof slope of the terrace group within which the appeal proposals would be positioned at the end. In addition, the taller pair of neighbouring properties draws the eye from the rear and reduces the dominance of the dormer at 29 Parsonage Street. For these reasons the circumstances at 29 Parsonage Street are not directly comparable to those before me.
 8. Reference has also been made by the appellant to an extension at 12 North Terrace and how the Council assessed that application. I understand that this application was not for a dormer window. However, I do not have the full details of this scheme and so can not be certain that the circumstances are the same. In any case I have considered the appeal proposal on its own merits.
 9. The proposed rear extension would be partially visible above the boundary wall and would therefore be seen from the public areas within the CA. However, it has not been cited within the reason for refusal. It would be of a form and appearance that would be compatible with both the host property and other extensions within the terrace. However, for the reasons given, the proposed

dormer would not preserve or enhance the character or appearance of the CA. The harm would be localised and, as such, would be less than substantial in the context of paragraph 196 of the National Planning Policy Framework (the Framework). Although the harm may be less than substantial any harm to the CA is a matter that attracts great weight, having regard to paragraph 193 of the Framework and the statutory duty to preserve or enhance CA's. In accordance with paragraph 196 of the Framework I must balance that less than substantial harm against the public benefits of the proposal.

10. I accept that the appellant, is seeking to make an effective use of an existing dwelling, an objective which is encouraged by the Framework. I understand that extending the property might meet the appellant's need for increased accommodation. I also accept that the introduction of the windows on the side could add an element of passive surveillance to the passageway. However, I have not been presented with any evidence of a particular crime issue here. I therefore afford these benefits limited weight as the benefits to the public would be low. As such, I am not persuaded that these benefits outweigh the harm to the character and appearance of the property and the CA. Accordingly, the proposals would conflict with the requirements of the Framework and with policies 55, 56, 58, 61 of the Cambridge Local Plan 2018 which are concerned with character and appearance of developments and, where relevant, developments within CA's.

Other Matters

11. Concerns regarding the processing of the application, including matters relating to timeframes, possible inconsistencies and misrepresentations are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposals before me.

Conclusion

12. I have taken account of all the other matters raised including the benefits of the proposed extensions. However, none changes the balance of these findings and harm I have identified to the character and appearance of the Riverside and Stourbridge Conservation Area. I therefore conclude that the appeal should be dismissed.

Robert Walker

INSPECTOR