



Appeal Decision

Site visit made on 13 August 2019

by S D Castle BSC(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/Q0505/W/19/3230871 59 Mowbray Road, Cambridge CB1 7SR

- 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 Koolpesh against the decision of Cambridge City Council.
 - The application Ref 18/1297/FUL, dated 8 August 2018, was refused by notice dated 20 December 2018.
 - The development proposed is erection of a new detached dwelling and single storey rear extension to existing dwelling following demolition of existing single storey side element and conservatory.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note the Council amended the description of the development from 'new dwelling', as stated on the application form, to 'Erection of a new detached dwelling and single storey rear extension to existing dwelling following demolition of existing single storey side element and conservatory'. This amended description was agreed by the appellant. I have assessed the appeal on the basis of the revised description.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions of future occupiers, with particular regard to amenity space;
 - the living conditions of existing occupiers, with particular regard to outlook and overshadowing.

Reasons

Character and Appearance

4. The appeal site forms the southern part of the garden area of 59 Mowbray Road, a two-storey, hip-roofed, semi-detached property situated on a corner plot at the junction of Mowbray Road and Hulatt Road. The frontage of No 59 is orientated at an angle (roughly 45 degrees) to Mowbray Road and the dwelling is situated on a wedge-shaped plot. The surrounding area is predominantly

residential in character. The dwellings on Mowbray Road are typically semi-detached and terraced, with rendered walls and hipped roofs. The orientation of dwellings at an angle to Mowbray Road, when adjacent to certain junctions, is a very distinctive characteristic of the surrounding area. These angle-oriented dwellings, including the appeal site, form cohesive groupings, whose set-back from the highway, in combination with significant areas of both public and private landscaping, gives a spacious and verdant character to the area.

5. Although located in the garden of 59 Mowbray Road, the proposed dwelling would front onto Hulatt Road. Hulatt Road is characterised by late twentieth century, two-storey brick dwellings, arranged in terraces with gable ends. These terraces are predominantly set back from Hulatt Road behind open grassed front gardens and parking areas.
6. The proposed dwelling has taken design cues from the surrounding dwellings, in terms of its hipped roof, render and brick facing materials. Nevertheless, the proposal would not reflect the established pattern of development in the area, where buildings have more generous garden space about them. The erosion of the space between the existing dwellings, as a result of the proposal, would create a visually cramped street scene, and a contrived garden layout, detrimental to the established spacious and verdant character of the area noted above.
7. The new dwelling would be positioned forward of the predominant two-storey building line on the northern side of Hulatt Road and would also be located forward of the adjacent buildings on Mowbray Road. The proposal would, therefore, be incongruously prominent in the context of surrounding buildings. Whilst surrounding buildings form cohesive groupings, the orientation of the proposed dwelling results in an incongruous side elevation facing onto Mowbray Road. This side elevation includes an expanse of render, at first floor level, with minimal visual relief. This would result in a somewhat bland appearance when viewed from important vantage points along Mowbray Road. This would be out of kilter with existing development in the area and would represent a discordant feature in the street scene.
8. For the reasons above, I conclude that the proposal would have a significantly harmful effect on the character and appearance of the area. As such, it would not accord with policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018 (LP). Together, these policies require development to be appropriate to the surrounding pattern of development and the character of the area, responding positively to its context, using local characteristics to inform its form, scale, layout, materials and landscape design, creating attractive and appropriately scaled built frontages and well-designed external spaces. Nor would the proposal accord with Framework paragraph 124 which has similar aims.

Living conditions of future occupiers

9. The new dwelling would provide access to the outside space from the lounge. A significant proportion of this outside space is set aside for car parking, cycle and bin storage. The remaining garden space would be squeezed between these uses, the rear elevation and the proposed high boundary fencing. The garden, given its limited size, awkward shape and proximity to car parking, would not provide high quality, usable garden space commensurate with the requirements of future occupiers. Furthermore, this outdoor space would have limited privacy, given public views through the access drive and overlooking

from the first-floor windows of No 59. I note the appellant's assertion that parked cars and the cycle / bin store will provide screening to Hulatt Road. Any such screening would be limited to only when cars are parked and would not appropriately prevent public views into the garden space.

10. Overall, for the reasons above, the proposal would not provide satisfactory living conditions for future occupiers of the new dwelling and would not accord with the relevant aims of Policies 50, 52, 56 or 57 of the LP. Taken together, amongst other things, these policies require development to provide appropriate private amenity spaces that are practical, usable, safe and that addresses issues such as overlooking. Nor would it accord with Framework paragraph 124 to the extent that it seeks good design which creates better places to live.

Living conditions of existing occupiers

11. The new dwelling and the intervening boundary fence would be at an oblique angle to the side elevation of the existing dwelling. By virtue of the separation distance and oblique orientation of the new dwelling to the side elevation windows of the existing dwelling at No 59, I find it would not give rise to an unacceptable loss of light or overshadowing to these windows.
12. Consequently, in this specific regard, the proposal would not conflict with policy 52 of the LP which requires, amongst other things, the amenity of neighbouring existing properties is protected.

Other matters

13. I acknowledge that the proposal would contribute towards housing supply and to the economy during its construction and, afterwards, through future residents' support for local services. Being for one property, however, it would only make a very limited contribution, and this significantly limits the weight I attach to these matters.
14. Overall, there are no material considerations, either individually or in combination, of sufficient weight to outweigh the conflict with the development plan, nor do they indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

15. For the reasons given above, the appeal is dismissed.

S D Castle

INSPECTOR