
Appeal Decision

Site visit made on 24 June 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2020

Appeal Ref: APP/Q0505/W/19/3230474

24 Hanover Court, George IV Street, Cambridge CB2 1JH

- 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 Herman Dario Ferraro Cordoba against the decision of Cambridge City Council.
 - The application Ref 18/0952/FUL, dated 12 June 2018, was refused by notice dated 7 December 2018.
 - The development proposed is the installation of a window to the balcony (retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description above since it best describes the development to which the appeal relates given the lack of a common or sufficiently precise/concise description in the appeal documents. The main parties have not objected. I have proceeded on this basis.

Main Issue

3. The main issue is whether or not the development conserves or enhances the character or appearance of the Newtown and Glisson Road Conservation Area (NGRCA).

Reasons

4. The appeal site concerns a fourth floor, two bedroom flat. It is part of one of two blocks of mid twentieth century flats of the brutalist style. They are large scale monolithic block type structures, made from concrete and brick. Each block is rectangular and arranged over multiple floors. One faces George IV Street and the other Bentink Street. There is a communal garden area between them. Despite perhaps dividing opinion on the aesthetic appeal of the blocks, they are a good quality surviving example of their type, reflective of housing solutions of their time and thus make a positive contribution to the NGRCA. The uniform and even fenestration rhythm, inset balconies and contrasting horizontal banding defining each floor all reflect the typical use of rigid, often repeating geometric shapes that define the architectural type. The balconies are particularly prominent, each abutting pair forming a projecting vertical section with ones above and below in several places on each elevation.

5. The window that has been inserted in the fourth floor as it faces the communal area between the blocks does bear similarities with the type used elsewhere. However, infilling one of the characteristic balconies has resulted in a flush section at this point, noticeably disrupting the even and regular opening rhythm. This detracts from one of the building's key features, appearing out of place, particularly since it concerns one of the balconies. Given the quality of the building, its prominence and location, the insertion of the window is harmful to it and thus the character and appearance of the NGRCA.
6. Given the scale of the development in context I would consider this harm to be less than substantial and as a consequence I am required to weigh it against its public benefits as per paragraph 196 of the Framework¹. I can see that the window may make the flat more weather tight and thus increase energy efficiency but then there would already be a closable barrier between the internal space and the balcony. Security could be increased but given the balcony is on the fourth floor a break in at this point would be a challenge and thus its occurrence unlikely. The appellant's evidence does allude to making the balcony safer and preventing people falling. This does have some merit although the balcony's barrier has been designed so as to minimise the possibility of this happening by accident.
7. Taking all of these matters together, it does not seem to me the public benefits of the development would be sufficient to justify it in light of the harm that is caused. The appeal scheme therefore fails to preserve or enhance the character or appearance of the NGRCA. Such also renders the development in conflict with not only section 16 of the Framework but also Policy 61 of the Cambridge Local Plan 2018. This policy seeks to ensure, amongst other things, that proposals should preserve or enhance the significance of heritage assets.

Other Matters

8. I note the appellant's comment that there is some support for the insertion of the window and other residents would look to do the same on their balconies. However, and putting aside the fact that the insertion of other windows infilling balcony spaces would give rise to cumulative harm, the support for the development does not absolve me from making an assessment of its merits. There are also some occupants who have put up netting or mesh at the opening to their balcony, but this is not before me to determine. I would therefore leave this to the Council to consider through the enforcement process should they be minded to do so.

Conclusion

9. For the reasons I have explained above, whilst having regard to other matters that have been raised by third parties, the appeal is dismissed.

John Morrison

INSPECTOR

¹ The National Planning Policy Framework 2019