
Appeal Decision

Site visit made on 21 December 2020

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 10 February 2021

Appeal Ref: APP/Q0505/W/20/3258216

30 Histon Road, Cambridge CB4 3LE

- 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 Maddrell against the decision of Cambridge City Council.
 - The application Ref 19/0499/FUL, dated 8 April 2019, was refused by notice dated 20 July 2020.
 - The development proposed is the replacement of existing garage with a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the street scene, including the effect on the Castle and Victoria Road Conservation Area; and
 - the effect of the proposal on the living conditions of the occupiers of No 30 Histon Road in relation to outlook, light and outdoor amenity space and the occupiers of No 28 Histon Road in relation to outlook, and whether the new dwelling would provide acceptable living conditions for future occupiers in relation to outdoor amenity space.

Reasons

Character and appearance

3. The proposal is for the demolition of the flat roof garage at the end of the rear garden of No 30 Histon Road and its replacement with a two storey, one bedroom dwelling. No 30 is a traditional Victorian style mid-terraced house facing Histon Road, whilst the appeal site, comprising the garage and the end of the rear garden, fronts onto a lane off Victoria Road. The lane provides access to various garages and storage sheds at the rear of the Histon Road properties, together with a housing scheme to the east.
4. The garages and other structures along the western side of the lane are all subservient buildings relating to the terraced houses on Histon Road. Most are single storey and flat roofed, although that behind No 24 has a pitched roof and towards the end, from behind No 48, some have higher pitched roofs. At the far end, behind Nos 58/58A, is a two-storey double garage with office and storage space over but this is secluded and well away from the appeal site.

5. The exception to the established single storey character of the garages in the vicinity of the proposal is the unusual nearly two storey garage building next door at No 28. This gained permission as a garage with workshop above but following an enforcement investigation a certificate of lawful use was issued for use of the workshop as a separate dwelling, No 28a. However, this still looks like an outbuilding, not having a residential appearance, and contrary to the appellant's view does not set a precedent for two storey dwellings along the frontage. A similar garage with office above behind No 36 was granted permission on appeal in 2016 but this appears to have lapsed¹.
6. In contrast to the simple asymmetric pitched roof over the building next door, the proposal would have a deeper and slightly taller gambrel style roof without precedent in the area. Whilst screened to a large extent from the south by the building behind No 28 this would appear particularly bulky and out of scale in views down the lane from the north and from the adjacent housing scheme.
7. In addition, the intentionally residential appearance of the building with deep vertical windows through the eaves and domestic type doors would be out of character with the subservient outbuildings in the vicinity.
8. Whilst the lane does not possess the strong Victorian terrace character of Histon Road, an important feature of the conservation area, it nevertheless displays the secondary, ancillary character of its related outbuildings. It also allows views along the rear of the Histon Road properties. By introducing an over dominant dwelling into a back lane environment the proposal would be out of place in this complementary part of the conservation area.
9. For these reasons the proposal would significantly harm the character and appearance of the street scene and would fail to preserve or enhance the character and appearance of the Castle and Victoria Road Conservation Area. This would conflict with Policies 52, 55, 57 and 61 of the Cambridge Local Plan 2018 (CLP) which require proposals to have a positive impact on their setting, to preserve or enhance views within conservation areas, understanding the impact on the heritage assets of the city, and for proposals that subdivide gardens to have a form appropriate to the surrounding pattern of development.

Living conditions

10. The new dwelling would have a small external amenity space to the rear, but the plans show much of this would be needed for refuse/recycling bin storage and cycle parking. With space for access to the rear door there would be insufficient room to comfortably dry washing together with an outdoor table and 2 chairs (one for a visitor) and being partly covered the space would also feel unduly enclosed. It would not therefore satisfy the requirements of CLP Policy 50 as explained in the supporting text. The proposal would also reduce the size of the garden of No 30 (excluding the existing garage) by about a third. In addition to bin and cycle storage, as a two bedroom house, CLP Policy 50 requires space for a table and chairs and an area for children to play in. The plans show the remaining area would be too small to provide a reasonably sized space for these purposes and it would also feel unduly enclosed. The new building would not however unacceptably overshadow the space as this would only arise for a short period in the morning.

¹ APP/Q0505/D/15/3141510

11. The loss of outlook from the first floor rear facing bedroom of No 30 and from the rear garden and ground floor habitable room of No 28 would not be unacceptable in this relatively tight knit built-up area, particularly in the case of No 28 as the outlook is already affected by the existing building at the end of the garden.
12. For these reasons the proposal would significantly harm the living conditions of the occupiers of No 30 Histon Road and would not provide acceptable living conditions for future occupiers of the new dwelling in relation to outdoor amenity space. This would conflict with CLP Policies 50 and 52 which require dwellings to have private amenity space of a shape, size and location to allow effective and practical use, and for proposals to subdivide gardens to provide adequate amenity space for the proposed and existing properties. The proposal would not however significantly harm the living conditions of the occupiers of No 30 or No 28 in relation to outlook.

Other matters

11. The appellant argues that rear access to No 30 would allow cycle parking for the host property and refuse and recycling bins to be stored out of sight rather than along Histon Road. However, the rear garden is accessible through the garage and thus already offers such facilities.

Conclusion

12. The proposal would provide an additional small dwelling for a single person which would make a useful contribution towards local housing needs in a sustainable location and offer social and economic benefits for the city. However, these material considerations are not sufficient to outweigh the harm identified under the main issues and the associated conflict with the development plan.
13. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR