
Appeal Decision

Site visit made on 23 March 2021

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 27 April 2021

Appeal Ref: APP/Q0505/W/20/3264173

Land at 550-554 Newmarket Road, Cambridge CB5 8LL

- 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 Mssrs Wilson, Woodhouse and Pearson against the decision of Cambridge City Council.
 - The application Ref 20/02062/FUL, dated 8 April 2020, was refused by notice dated 5 August 2020.
 - The development proposed is three one-bed studio units.
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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 area;
 - whether the proposal would provide safe pedestrian access to the surrounding area; and
 - whether the proposal would provide acceptable living conditions for existing and future occupiers in relation to outdoor amenity space.

Reasons

Character and appearance

3. The proposal is for three 1 bed studio units at the end of the rear gardens of Nos 550, 552 and 554 Newmarket Road which front onto a rear access road off Cut Throat Lane. The relatively narrow units would be two-storey with steep pitched roofs, would be oriented north-south along the axis of the rear gardens and face onto the rear access road. The units would not have parking spaces.
4. This well-established part of Newmarket Road through to Elfleda Road behind is characterised by traditional semi-detached and some detached housing with good sized rear gardens. In the case of the row of which Nos 550-554 form part, the rear gardens back onto an access road which contains a series of single storey garages and outhouses giving the area an ancillary, subservient character. Opposite the appeal site lies an area of open car parking which serves the nearby football ground.

5. The large single garage to the rear of No 554 would be replaced by one of the studio units, a further unit introduced into the undeveloped gap at the rear of No 552 where a large flat roofed workshop building would be retained (this garden is significantly wider than the others) and the third unit would replace a flat roofed double garage to the rear of No 550. Given the context of the remaining low-key single-storey garages and outhouses along the road, not least the adjacent garage behind No 448 and the retained workshop behind No 552, the two-storey studio units, albeit an attractive modern design in themselves, would appear an unduly prominent and intrusive addition into the street scene. They would appear disjointed with the unit behind No 552 at an angle to the others and the retained workshop would break up any visual coherence of the group. The proposal would amount to a discordant and piecemeal departure from the existing subservient character of the road whilst falling short of a coherent, comprehensive redevelopment scheme.
6. There are two developments on rear garden sites in the immediate vicinity, No 10a Elfleda Road and one under construction behind No 560, but both are less intrusive single-storey bungalows, the former on an idiosyncratic one-off site and the latter on part of a noticeably longer rear garden. A further bungalow proposal behind No 572 is undetermined at present. Neither of these therefore represents a precedent that would support the appeal proposal¹.
7. For these reasons the proposal would significantly harm the character and appearance of the area in conflict with Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018 (CLP). These require proposals to respond positively to their context, to create attractive and appropriately-scaled built frontages, to have a positive impact on their setting in terms of location on the site, height, scale and form, and for proposals that subdivide gardens to have a form appropriate to the surrounding pattern of development.

Pedestrian access

8. Cut Throat Lane and the rear access road are both public rights of way but are without segregated footways and only have limited street lighting, with one column at the junction of the two roads and a further column where Cut Throat Lane leaves Newmarket Road. Whilst some of the road surfaces are good, that towards Elfleda Road is poor and as unadopted roads the future arrangements for their continued maintenance are unclear. The roads are regularly used by vehicular traffic, particularly to and from the car park.
9. The three new units would not have car parking spaces so the occupants would need to walk or cycle daily to access the site, probably most often to and from Newmarket Road. The route is reasonably wide but quite long and without footways. Pedestrians would therefore have to regularly mingle with traffic which would lead to safety risks, particularly for wheelchair users and after dark when the lighting along the roads is relatively poor. Whilst there is one dwelling opposite and a further dwelling under construction nearby this does not justify the encouragement of further pedestrian and cycle movements in the area which would increase the scope for conflict between road users.

¹ Other schemes referred to by the appellant are north of Newmarket Road, either 'tandem' style development with direct access off that road or accessed from Ditton Walk, and two further dwellings facing one another on a short spur road to the south of Elfleda Road. None of these examples are comparable to the appeal proposal.

10. For these reasons the proposal would not provide safe pedestrian access to the surrounding area in conflict with CLP Policies 56 and 57 which require development to be accessible, inclusive and safe and for new buildings to be convenient, accessible and safe for all users.

Living conditions

11. The three studio units would each be provided with a 4.5 sq m south facing first floor balcony overlooking the rear access road and car park and a 10 sq m amenity area to the rear. The Council have not adopted any external amenity space standards for residential dwellings. Whilst the amenity space provided would certainly not be generous, the units are only designed for individuals or couples, not families with children. The front facing balconies would enjoy an open aspect, with the car park only really busy on match days, and the rear yard would provide a private, enclosed alternative. In the context of a built-up city such as Cambridge this provision would be adequate.
12. The host dwellings, Nos 550-554, would each retain a reasonable length back garden about 11m long, and in the case of No 552 only a small proportion of its garden would be lost. The units would be seen end on, minimising their impact on the outlook from the dwellings and their rear gardens, and the loss of sunlight in the gardens would only be significant in the mid-winter months.
13. For these reasons the proposal would provide acceptable living conditions for existing and future occupiers in relation to outdoor amenity space and would comply with CLP Policy 52. This requires proposals that subdivide an existing residential plot to retain sufficient garden space around existing dwellings and to provide adequate amenity space for proposed and existing properties. In relation to this particular issue CLP Policies 55 and 57 are not relevant.

Conclusion

14. The proposal would provide three additional small dwellings which would be low cost, 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 first two main issues and the associated conflict with the development plan.
15. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR