



Appeal Decision

Site Visit made on 7 June 2021

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st June 2021

Appeal Ref: APP/Q0505/W/21/3269119

17 Mere Way, Cambridge CB4 2JP

- 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 & Mrs Peat against the decision of Cambridge City Council.
 - The application Ref 20/03687/FUL, dated 1 September 2020, was refused by notice dated 19 January 2021.
 - The development proposed is erection of 1no 1 bedroom bungalow and associated works at 17 Mere Way, Cambridge.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect upon the character and appearance of the area;
 - Whether or not the proposal would provide acceptable living conditions for future occupiers, having particular regard to privacy, internal living arrangements and the availability of private garden space; and
 - The effect upon the living conditions of the residential occupiers of No 17 Mere Way (No 17), having particular regard to outlook and daylight.

Reasons

Character and appearance

3. The appeal property occupies a corner plot and is formed of an end-of-terrace unit. The site is located within a residential area where properties tend to be arranged in linear rows and to be comprised of terraced or semi-detached house types of two-storey height. Built form can typically be observed to be setback broadly consistent distances from the highway, whilst dwellings are often positioned within generously sized and well-vegetated plots. The area thus has a formal, spacious and green residential character and appearance.
4. The scheme involves the construction of a bungalow adjacent to No 17. Its position upon the site would be noticeably stepped forward (towards Mere Way) when compared to neighbouring and nearby dwellings. When also noting its single storey height, the proposal would thus fail to suitably respect the typical composition and pattern of development that is in place along Mere Way. Indeed, even though complimentary external-facing materials are intended, an unduly cramped and discordant form of development is proposed that would fail to respect the local area's character and appearance.

5. A 2019 planning permission¹ for a bungalow that is now set to the rear of Nos 19/19A Mere Way has been referred to by the appellants. However, notwithstanding the proximity to an adjacent dwelling, the approved bungalow's positioning relative to the highway is reflective of neighbouring and nearby units, and thus respects the prevailing pattern of development in this sense. This is an important factor that clearly differentiates that scheme from the proposal now before me.
6. For the above reasons, the proposal would cause harm to the character and appearance of the area and conflicts with Policies 52, 55, 56 and 57 of the Cambridge Local Plan (October 2018) (the Local Plan) in so far as these policies set out that proposals that subdivide an existing residential plot will only be permitted where the form, height and layout is appropriate to the surrounding pattern of development and the character of the area.

Living conditions – future occupiers

7. The new bungalow and associated private rear garden area would be situated alongside the grounds of No 28 Humphreys Road (No 28), a two-storey terraced property. Even so, any potential overlooking from rear-facing window openings that serve No 28 would be upon oblique angles rather than direct. Furthermore, it was apparent upon inspection that No 28's closest upper-floor window (to where the new bungalow would be sited) is obscure-glazed. When also factoring in the intended canopied design of the bungalow's southern roof slope, I am satisfied that the privacy of future occupiers would not be unduly compromised.
8. As regards the extent of internal living accommodation to be provided, the Council has acknowledged that the relevant standard, as set out under Policy 50 of the Local Plan, would be met. Indeed, as the new unit would contain a shower room as opposed to a bathroom, a 37 square metre floor space requirement is generated and complied with. Acceptable internal living arrangements would avail.
9. A meaningfully sized private rear garden area would serve the small single-bedroomed unit that is proposed. To my mind, the extent of private garden space would, on balance, be acceptable in a living conditions context. Indeed, I am unpersuaded that the intended introduction of a bike store to the rear of the site would erode the quality of the outside space to any noticeable or harmful degree.
10. For the above reasons, the scheme would provide acceptable living conditions for future occupiers having particular regard to privacy, internal living arrangements and the availability of private garden space. The proposal accords with Policies 50, 52, 56 and 57 of the Local Plan in so far as these policies set out that proposals for development will only be permitted where the amenity of neighbouring, existing and new properties is protected.

Living conditions – occupiers of No 17

11. The scheme involves construction (including the erection of boundary fencing) in proximity to No 17's northern elevation. Such works would follow the removal of an ancillary lean-to/outbuilding (the outbuilding) that is currently attached to No 17's northern side. It was apparent upon inspection that the

¹ 19/0758/FUL

only north-facing openings serving a habitable room consist of a glazed door and small-sized window to No 17's kitchen.

12. It is important to note that No 17's main internal living space is situated towards the opposing southern side of the unit. Indeed, it was also evident upon inspection that No 17's southern elevation is served by glazed double doors that address a not insignificantly sized enclosed garden space. When also factoring in the limited extent and range of views presently provided by the aforementioned kitchen openings, the proposal would not have a detrimental effect upon the standard of outlook enjoyed by No 17's occupiers.
13. Similarly, particularly when noting the proposal's single-storey height, I am satisfied that there would be no undue loss of daylight caused by the scheme. Indeed, notwithstanding any relevant standard as set out in British Research Establishment guidance, the existence of the outbuilding and the particular role played by the north-facing ground floor kitchen openings in question are further factors that support me coming to this finding.
14. For the above reasons, the scheme would have an acceptable effect upon the living conditions of the residential occupiers of No 17 having particular regard to standards of outlook and daylight. The proposal accords with Policies 52, 56 and 57 of the Local Plan in so far as these policies set out that proposals for development will only be permitted where the amenity of neighbouring, existing and new properties is protected.

Other Matters

15. The scheme would deliver an additional housing unit in a location well-served by locally accessible facilities and services, and the National Planning Policy Framework (February 2019) reaffirms the Government's objective of significantly boosting the supply of homes. However, the contribution of one additional dwelling would be modest and would not outweigh the significant harm and associated policy conflicts that I have identified. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

16. Whilst I have found that the proposal would provide acceptable living conditions for future occupiers of the scheme and for neighbouring occupiers at No 17, I have identified that significant harm would be caused to the character and appearance of the area. That harm is the overriding consideration in this case. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR