



Appeal Decision

Site visit made on 6 September 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 06 December 2021

Appeal Ref: APP/Q0505/W/21/3274368

59 Gwydir Street, Cambridge, CB1 2LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Ross against Cambridge City Council.
 - The application Ref: 20/02007/HFUL, is dated 7 April 2020.
 - The development proposed is described as a 'loft conversion including rooflights and rear dormer. Rear second-floor extension'.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Ross against the Cambridge City Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appeal scheme is comprised of a second-floor rear extension along the full depth of the existing outrigger and a rear dormer extension to the roof. The Council have confirmed that the second-floor rear extension to the outrigger would be acceptable in terms of its scale, mass and design such that this part of the proposal would preserve the character and appearance of the host dwelling and the Mill Road Conservation Area. Based upon my consideration of the appeal and my observations at the site visit, I see no reason to take a different view. Therefore, for the purposes of this decision letter I shall focus on the implications of the rear dormer extension.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the host building and the Mill Road Conservation Area (CA).

Reasons

5. Gwydir Street is mainly composed of long continuous rows of terraced Victorian housing positioned on the back edge of the footway. Dwellings are typically similar in scale and design. Roof structures are mostly pitched and appear plain and without visual clutter, except for the presence of prominent chimney stacks. There is some evidence of alterations to dwellings along Gwydir Street, however, the appeal terrace and the host dwelling roof slope remain unaltered and therefore they retain a pleasantly uniform appearance. Rear roof

extensions are not commonplace within the area. Given that the host dwelling shares the characteristics of the CA, I consider that it makes a positive contribution to the significance of the heritage asset.

6. The proposal would introduce a substantial sized roof dormer extension that would extend across the majority of the width of the rear roof slope. Forming a building of higher status given the host dwellings' greater width and eaves height, the appeal scheme would by reason of this scale and bulk, appear as a strident, bulky and discordant addition that would overwhelm the roof structure and obliterate the existing simple traditional roof form. Despite the use of materials to match the existing roof slope, the inclusion of sizeable projecting dormer windows and additional eaves would result in a top heavy appearance and serve to increase its prominence. The development would appear prominent in views from neighbouring gardens and the Mill Road Cemetery, a classified Historic Park and Garden, from where the appeal scheme would be read as an unduly dominant and incongruous feature.
7. The presence of mature trees and vegetation would partly screen views of the proposed development from these locations. However, some gaps within the vegetation would allow for glimpsed views and this situation would be likely to increase during the winter months when foliage is much less dense.
8. Overall, the proposal would fail to complement the form and style of the host dwelling and as a result, the appeal scheme would have an erosive and harmful effect on the appearance of the host dwelling and the character and appearance of the CA.
9. My attention has been drawn to a similar scheme at 49 Gwydir Road which I observed to be partly constructed at the time of my site visit. However, unlike the proposed scheme, it comprised a more simple form and design and was set in from the eaves and the sides of the dwelling and thus did not extend across the majority of the roof slope. To my mind, it was not directly analogous to the appeal scheme.
10. Reference is also made to other examples of similar development in the surrounding area. However, rather than providing justification for the proposed development, their presence points to a need for such proposals to be carefully controlled if the character and appearance of the area is to be safeguarded. Furthermore, I do not have full details of the particular circumstances that led to those developments being accepted and so cannot be sure if they represent a direct parallel to the appeal scheme. In any event, I have considered the appeal before me on its individual planning merits.
11. It follows that the proposed development would fail to preserve or enhance the character and appearance of the CA. It would conflict with Policies 58 and 61 of the Cambridge Local Plan (2018) and Appendix E of the Roof Extensions Design Guide. Among other things, these policies and guidance seek to ensure developments are of a high quality design and are sympathetic to the existing building and surrounding area.
12. The Council have suggested that there would be 'minor less than substantial harm' to the significance of the heritage asset. However, the revised National Planning Policy Framework (2021)(the Framework) advises there are three categories of harm to be considered, namely, 'substantial harm, total loss or less than substantial harm' and in my view the harm identified would amount

to “less than substantial harm”. In accordance with paragraph 202 of the Framework, this provides for a balancing exercise to be undertaken between “less than substantial harm” to the designated heritage asset and the public benefits of the proposal. As a scheme for the provision of additional living space within an existing dwelling, this is a benefit of a private nature and in the absence of being directed to any other public benefits, I find that there would be little public benefit to outweigh the identified harm. I therefore conclude the proposed development would also fail to comply with national policy outlined in section 16 of the Framework.

13. The Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. The application of policies in the Framework that protect designated heritage assets provide a clear reason for refusing the appeal scheme.

Other Matters

14. I note the appellant’s comments with regards to the Council’s lack of engagement and timeliness in this process, however, this is not a matter which alters the outcome of my findings above.

Conclusion

15. For the reasons given above, I find that the proposed development would conflict with the development plan and the material considerations in this case do not outweigh this conflict. I therefore conclude that the appeal is dismissed.

E Brownless

INSPECTOR