



Appeal Decision

Site visit made on 21 June 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 7 July 2022

Appeal Ref: APP/Q0505/W/21/3289110

17-19 Radegund Road, Cambridge CB1 3RH

- 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 D Whitfield against the decision of Cambridge City Council.
 - The application Ref 21/03467/FUL, dated 27 July 2021, was refused by notice dated 28 September 2021.
 - The development proposed is the construction of 4 No. 2 bedroom flats and associated external works.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) the living conditions of the occupiers of 17 Radegund Road.

Reasons

Character and Appearance

3. The proposed development comprises the erection of an apartment building within the rear garden of 2 dwellings which are in multiple occupation. The proposed development seeks to respond to a similar proposal which was the subject of a dismissed appeal (Ref APP/Q0505/W/21/3268872). The full details of the previous appeal scheme have not been provided albeit the evidence indicates that the proposed development is of a smaller scale comprising 4 rather than 6 flats. In the absence of the full details of the previous scheme, this appeal has been assessed based upon its own planning circumstances.
4. The proposed apartment building would be sited within the rear gardens of 17 and 19 Radegund Road with its principal elevation fronting Suez Road. The proposed development would include the demolition of an existing single storey double garage. Although No. 17 has been altered, No. 17 and 19 are a pair of semi-detached dwelling which are of a similar design, external materials and siting as the other properties fronting Radegund Road. The extensive size of the front gardens gives this road a spacious and verdant character and appearance. The appeal site is located close to the junction of Suez Road and Radegund Road with the rear gardens of No. 17 contributing to the spacious character of this junction.

5. As claimed by the appellant, the proposed apartment building would be part of the streetscene associated with Suez Road. The properties along Suez Road predominantly comprise 2-storey terraced dwellings of a similar design which are set back from the footway to the rear of front gardens. There is a consistent building line for the dwellings fronting Suez Road. Adjacent to the site is a large church and associated dwelling which are set back further from the footway.
6. By reason of its siting close to the footway and 2-storey height, the proposed apartment buildings would be a visually prominent form of development within the streetscene along Suez Road. The siting of the appeal scheme would fail to reflect the surrounding pattern of development associated with, in particular, the established building line for residential properties along Suez Road. Further, the sub-division of the gardens of No. 17 and the erection of the proposed building would represent a cramped form of development which would significantly detract from the spacious character and appearance associated with the area around the road junction.
7. For the reasons given, the proposed development would cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would conflict with Policies 52, 55, 56 and 57 of the Cambridge Local Plan (CLP). Amongst other matters, these policies require a high quality of development which has a positive impact on the setting and that proposals for development on sites that form part of a garden or group of gardens or 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

8. No internal drawings of No. 17 have been provided. However, based upon the observation made at the site visit, within the rear elevation of No. 17 are three ground floor openings all of which serve habitable rooms. The submitted drawings indicate that new openings would be created within other walls of No. 17 to serve potentially 2 of these habitable rooms.
9. When standing in the current rear garden because of the proposed development's siting, bulk and height it would represent an unacceptably overbearing form of development which would severely compromise the outlook of the occupiers of No. 17. At least 1 of the habitable rooms would also have a similar compromised outlook. This assessment acknowledges that there would be some articulation associated with the proposed building's side elevation and the roof would slope away from the shared boundary.
10. By reason of orientation, the appeal scheme would not have a significant effect on the amount of sunlight reaching the rear openings and garden of No. 17. The bulk and siting of the proposed apartment building could have an impact on levels of daylight reaching the garden and any retained rear ground floor openings but the degree of change would not be so significant so as to be a reason for this appeal to fail. However, it does add in a modest way to the unacceptable harm already identified.
11. On this issue is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 17 Radegund Road and, as such, it would conflict with CLP Policy 52 where the amenity and

privacy of neighbouring, existing and new properties should be protected. Other policies referred to by the Council are not of direct relevance to this issue because they related to internal design standards, alterations to existing buildings and general design considerations.

Other Matters

12. The comment of the occupiers of No. 21 have been noted but there are no reasons for me to disagree with the Council's assessment that no unacceptable harm would be caused to their living conditions. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR