

Appeal Decision

Site visit made on 17 October 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2022

Appeal Ref: APP/Q0505/W/22/3295120

72 High Street, Cherry Hinton, Cambridge CB1 9HZ

- 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 James Spriggs against the decision of Cambridge City Council.
 - The application Ref 21/03155/FUL, dated 2 July 2021, was refused by notice dated 10 January 2022.
 - The development proposed is the erection of 9 No 1 and 2 bedroom dwellings with associated infrastructure following demolition of an existing dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposal on:
 - i) The character and appearance of the local area;
 - ii) The living conditions of future occupiers of the dwellings in terms of outdoor garden space and the storage of cycles and waste; and
 - iii) Local biodiversity.

Reasons

Character and appearance

3. 72 High Street is a bungalow sitting on a very deep plot within a mixed commercial and residential area at the heart of the Cherry Hinton section of Cambridge. To one side are houses and flats on Chequers Close. Wrapping around the other side and to the rear of the site is the Cherry Hinton Recreation Ground, a leafy, well used, multi-purpose public space.
4. The proposal is to replace the bungalow with 9 flat roofed dwellings, most of which would be 2 storey houses and the others single storey bungalows. The development would be served by a shared access drive from the High Street, leading to 9 parking spaces at the front of the site. A communal footway would provide pedestrian access to an area of communal garden near the end of the site. I understand that permission has recently been granted by the Council for

an alternative development of 6 dwellings of similar design to those in the appeal proposal but in a more spacious layout.

5. Despite the site's central location, it sits near to mainly 2 storey, traditionally scaled houses in pairs or short terraces. The proposed new houses would be kept to a low height by their flat roof design, but would effectively form a long mass of development, with only narrow gaps between wide buildings. The dwellings would sit close up to the recreation ground, with minimal gardens, creating a much harder, more urban edge to this part of the open space.
6. Although the development would be capable of being carried out without harm to the nearby trees in the recreation ground, the site would be dominated by buildings and hard surfacing, with hardly any significant space for new planting. New boundary hedges are indicated on the plans, but these would be so hemmed in by buildings, hard surfacing and boundary enclosures that they would not likely be able to thrive.
7. I note that taller, higher density developments have been approved in the local area. These sit within different contexts, however, despite their proximity to the appeal site. I have considered this case on its own merits.
8. I find that the proposal would represent a cramped overdevelopment of this restricted site, which would unacceptably harm the character and appearance of the recreation ground and undermine its important contribution to local character. It therefore conflicts with the shared aims of Cambridge Local Plan (LP) policies 52, 55 and 57, which seek to secure high quality developments that respond positively to their context and are of a layout appropriate to the surrounding pattern of development.

Living conditions

9. LP policy 50 says that all new residential units will be expected to have direct access to an area of private amenity space, with the form dependent on the type of housing and including private gardens, roof gardens, balconies, glazed winter gardens or ground-level patios. The Council does not have any adopted standard for the specific amount or quality of space to be provided, though Policy 50 does indicate that sufficient space should be available for a range of uses including provision of a table and chairs, clothes drying and children playing.
10. The new dwellings would have private gardens just a few metres deep, plus small winter gardens and balconies, with the boundary to the recreation ground marked by railings and new hedging. Although these spaces would be south-facing and therefore sunny, they would be too small to easily accommodate the range of uses indicated by LP Policy 50. Their effective size would be further limited by the hedge planting, which would be necessary to give them some privacy from people in the recreation ground. The communal garden space would be set well away from and out of view from some of these houses, so its usefulness would be limited. Most of the proposed houses would be 2 bedroom units, potentially for family use. I find that these limited external spaces would not provide satisfactory private outdoor space for family housing, though I have no overriding concerns about the provision for the other, single bedroom units.

11. LP Policy 50 also states that the location and context of the development should be considered. These dwellings would sit within an area largely characterised by reasonably sized gardens, rather than a tightly developed urban area where such small gardens would be expected.
12. The appellant refers to another appeal¹ for a development of apartments elsewhere in the city, which was allowed despite similar concerns about amenity space. The circumstances of that case seem to me to be significantly different in that 2 bedroom houses are proposed here, instead of flats. Once again, I have considered this case on its own merits.
13. The Council is also concerned about the proposed layout for cycle storage and waste/recycling storage. Although the cycle storage proposals appear to be acceptable, the proposed layout would mean that the units near the end of the site would need to move their waste and recycling a considerable distance to a pick up point at the front. This would be highly inconvenient for some future occupiers, especially those with disabilities. This point adds to my concerns on this issue. A similar situation may apply to the approved scheme for 6 units, but I do not have full details of this.
14. I conclude that the proposal would not provide acceptable living conditions for future occupiers, due mainly to the lack of adequate garden space for the 2 bedroom houses but also to the overly inconvenient arrangements for waste storage and collection. The proposal therefore conflicts with the relevant shared aims of LP Policies 50, 52 and 57, to provide sufficient private amenity space in new developments, to protect garden land during sub-division and to integrate functional needs such as refuse and recycling.

Biodiversity

15. The low density of existing development, the site's overgrown condition and its position next to the open space indicate that it may provide valuable wildlife habitat within the city environment. The existing building could also be used by protected species such as bats. The site could therefore have significant biodiversity value and this has apparently not been assessed in detail. Whilst I note the appellant's submission that the development would result in biodiversity net gain, I have seen insufficient supporting evidence for this. I recognise that an alternative scheme for 6 houses has been approved, but lack information about how the issue of biodiversity was dealt with in that application. That less dense development should leave more space and opportunity for biodiversity mitigation and enhancement measures.
16. Due to a lack of satisfactory information, I conclude that the appeal proposal could well result in unacceptable harm to biodiversity. It therefore conflicts with the aims of LP Policy 70 and National Planning Policy Framework (Framework) paragraph 180, to ensure that development would minimise any ecological harm and secure achievable mitigation and/or compensatory measures.

Other matters

17. The new dwellings would be very sustainably located near to a wide range of services and public transport. The proposal would help to boost the supply of housing and would make efficient use of the site, in line with aims set out in

¹ APP/Q0505/W/20/3253439

Framework paragraphs 60 and 119. The new houses would overlook the recreation ground, improving its natural surveillance and thus its security. These are all important matters that weigh in favour of the proposal, but they do not override my concerns about the main issues and the identified conflicts with the development plan.

Conclusion

18. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR