

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/22/3298702

108 Suez Road, Cambridge CB1 3QD

- 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 Trevor Cutmore against the decision of Cambridge City Council.
 - The application Ref 21/03304/FUL, dated 14 July 2021, was refused by notice dated 2 April 2022.
 - The development proposed is the retention of an existing dwelling, erection of 1 No linked 2 bedroom dwelling and 1 No 1 bedroom duplex along with a new parking bay accessed from Suez Road and associated works.
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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; and
 - ii) Living conditions at neighbouring properties, in terms of outlook and overshadowing.

Reasons

Character and appearance

3. 108 Suez Road is an end of terrace house on a corner plot within a regularly laid out area of post-war terraced houses. The set back of the houses from the street, the reasonably generous garden sizes and the presence of some street trees give the area a leafy, suburban character. The brick and tile houses are of a fairly uniform style, with hipped roofs.
4. The proposal is to build 2 houses in the garden of No 108: one to the side which would continue the terrace and a detached house in the back garden, fronting onto Hobart Road. The Council raises no objection to the new end of terrace house (Plot 1), which would reflect the design of the existing terrace and would be very similar to another end of terrace house built on an opposite corner. The concerns here are about Plot 2 at the back.

5. The proposed house on Plot 2 would be a small 1 bedroom house in a contrasting, contemporary style with materials to include cedar cladding and zinc roofing. National Planning Policy Framework (Framework) paragraph 130 allows for innovative designs, aiming to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. The appellant refers to other examples of contemporary design for infill houses in the city. This approach can often be successful, depending on context and design.
6. The proposed house would step forward of the building line of the adjacent terrace on Hobart Road making it a prominent feature in the street scene. Its gable fronted roof form and zinc roof would offer a sharp contrast to the uniform roof lines and tiles of the existing houses. The lack of side windows (presumably due to the close proximity of other properties) plus the set back of the upper floor front window behind an enclosed north facing balcony, would give the building a blank appearance. There would be no space for significant planting within Plot 2. The combined effect of the proposed siting, site coverage, form and materials would be a cramped development that would not fit in well with the existing housing and the more spacious local character.
7. I conclude that, although the proposal for Plot 1 is acceptable and contemporary design is often desirable, the proposal for Plot 2 would unacceptably harm the character and appearance of the local area. It therefore conflicts with the shared aims of Cambridge Local Plan (LP) policies 55, 56 and 57 and the Framework, to secure attractive, high quality development that responds to its context and has a positive impact on its setting.

Living conditions

8. The Council's objection again relates to the house at Plot 2, which would sit close to the boundary with the back gardens of Nos 108 and 110 and Plot 1. Although the proposed house would be a bit less than full 2 storey height it would also sit up from those neighbours due to the notable upward slope of Hobart Road.
9. The Council does not cite any set standard for separation between new and neighbouring houses. The appellant refers to 2 other cases where apparently similar separations have been approved by the Council. I do not know the full circumstances of those cases, but note that in one the appellant's separation measurement is taken from a rear lean-to section rather than from the main house so that the actual separation is greater than indicated. I assess this appeal proposal on its own merits.
10. I take the view that, at just over 10m distance from the main rear elevations of the neighbouring houses at No 108 and Plot 1, and at a higher level, the blank side wall of Plot 2 would be an imposing and overbearing feature as seen from those houses and their rear gardens. I recognise that this relationship will sometimes be normal and acceptable in tight urban environments, but that does not apply here, in this more suburban context where most gardens are long. As the house would not be directly behind No 110, I find on balance that it would not be overly dominant on the outlook from that property.

11. The new house at Plot 2 would sit to the west of No 108 and Plot 1 and to the north/north-west of No 110. It would not block out much, if any, more direct sunlight than the existing houses already block out. The 3 properties would retain largely open southerly aspects so that their rear windows and gardens would remain sunny. I therefore find no objection in terms of overshadowing.
12. I conclude that the proposal would unacceptably restrict and harm the outlook from No 108 and the proposed house at Plot 1. It therefore conflicts with the aim of LP policy 52 to protect the amenity of neighbouring existing and new properties. The Council also refers to LP policies 55, 56 and 57 here, but I find nothing directly relevant in the design provisions set out in those policies.

Other matters

13. I note that the new houses would overlook both Suez Road and Hobart Road, improving natural surveillance and security. These streets are, however, already well overlooked by existing properties so I place little weight on this point.
14. The new dwellings would be sustainably located near to services and public transport. They would help to meet the Government's objective of significantly boosting the supply of housing, as set out in Framework paragraph 60, and would make efficient use of land in line with Framework paragraph 119. These are 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

15. 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