



Appeal Decision

Site visit made on 20 September 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th October 2023

Appeal Ref: APP/Q0505/W/23/3320224

147 High Street, Cherry Hinton, Cambridge CB1 9LN

- 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 Simon Howard Tripp of Too Cool Ltd against the decision of Cambridge City Council.
 - The application Ref 22/05046/FUL, dated 17 November 2022, was refused by notice dated 13 January 2023.
 - The development proposed is the erection of 2 no. semi-detached dwellings and loft and side extensions to existing building to form additional flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relate to the proposed 2 No. semi-detached dwellings, including:
 - The effect of the dwellings on the character and appearance of the surrounding area including whether the proposal would result in overdevelopment of the site;
 - the effect of the proposed dwellings on the living conditions of No 149 High Street in respect of sense of enclosure and overbearing impact on the rear garden area; and,
 - whether the proposed dwellings would have appropriate cycle parking provision, due to the location of the cycle parking at the rear.

Reasons

Character and appearance

3. The proposed 2 no. semi-detached dwellings would be set to the rear of No 147 High Street (No 147) and front onto Fernlea Close (the Close). The character of the Close is that of a mix of terraced and semi-detached two storey dwellings. The dwelling plots that continue along the Close on the same side of the road as the appeal site are traditional pitched roof semi-detached dwellings with chimneys. Typically, the dwellings are set within large plots, set back from the road, with long rear gardens. On the opposite side of the Close to the appeal site, there are more modern terraced properties, which are set forward, close to the back of footpath and have small rear gardens.
4. Whilst the existing dwellings opposite the appeal site in the Close are set relatively close to the back of footpath, the proposed dwellings would be set

closer to the front boundary than these and significantly forward of the semi-detached properties on the same side of the Close, discordant with the prevailing building line. Even though No 147, once extended, would be close to the back of footpath and align with the front elevation of the proposed dwellings, this would not influence the continuing building line and character along the Close, due to the separation distance to the existing dwellings that continue along the Close and that No 147 is a focal end corner building.

5. The proposed rear garden depths and the building to plot ratios of the dwellings would be smaller than that found in the Close. Whilst the terraced properties in the Close and along High Street have relatively small rear gardens, the proposed semi-detached dwellings would have notably smaller overall garden area and shorter depth gardens and so are not comparable to these terraced properties.
6. The design of the proposed dwellings would have an irregular shaped roof pitch, which would appear shallow and squat from the road, yet with an elongated roof slope at the rear. This would be incongruous and not in keeping with the design and character of surrounding buildings.
7. The proposed dwellings would appear prominent within the street scene, due to the gap provided by the private service road immediately to the side of the appeal site and due to the forward position of the dwellings, close to the back of footpath. As a result of this, together with the design and density of the proposed dwellings, it would result in an overly dominant form of development in the street scene.
8. Having regard to the above, the proposed dwellings would have a harmful effect on the character and appearance of the surrounding area and would result in overdevelopment of the site, in conflict with Policies 55, 56 and 57 of the Cambridge Local Plan (CLP), which, amongst other matters, seek high quality development that are in keeping with its local context and setting.

Living conditions

9. The 2-storey rear elevation of the proposed dwellings would be in close proximity to the side boundary of the rear garden of No 149 High Street (No 149), due to the proposed shallow depth of their gardens. The width of the rear garden of No 149 is narrow and the overall private amenity space of this neighbouring property is small. The main rear elevation of No 149 is also set in from the existing tall, rear single storey mono-pitch outrigger at No 147 High Street, which already creates a sense of enclosure to part of the rear garden of No 149.
10. The proposed dwellings would be built along almost the full length of the rear garden of No 149 at 2-storey height and, would appear much taller than the existing single storey outbuildings within the appeal site. This in combination with the fact the garden of No 149 is small and narrow, would create a negative sense of enclosure to the rear garden of No 149, which would be overbearing to the occupiers of No 149.
11. The shallow pitched roof slope design of the proposed dwellings would not significantly diminish the overbearing impact to the occupiers of No 149, as the ridge height of the proposed dwellings would remain at full 2-storey height and the proposed rear elevation at eaves height would extend significantly above

the height of the boundary fence shared with No 149. This would not be comparable to the scale and height of the existing single storey outbuildings within the appeal site. Having regard to all the evidence, including the sightline and section drawing, this does not demonstrate that the harm caused to the living conditions of No 149 by reason of overbearing and undue sense of enclosure would be acceptable.

12. In view of the above, the proposed 2 no. semi-detached dwellings would have a harmful impact on the living conditions of the occupiers of No 149 in respect of creating a sense of enclosure and overbearing impact on the rear garden area, in conflict with the Framework, which requires development to have a high standard of amenity for existing users.
13. The Council referred to Policies 55 and 57 of the CLP in their decision, however these policies relate more to design matters and how a development responds to its site context and surroundings. These policies do not include reference to amenity or living conditions and therefore are not relevant to such concerns.

Cycle parking

14. The proposed dwellings would have cycle storage provision within their rear gardens, with access via a pathway to the side of each dwelling.
15. Policy 82 of the CLP refers to standards and requirements for cycle parking in Appendix L of the CLP and the Cambridge City Cycle Parking Guide for New Residential Development (CPGNRD). In terms of the location of cycle parking within new housing development, Appendix L states cycle parking should be located at the front of the house and only be within the rear garden if locating it at the front of the house is shown to be not in keeping with the character of the surrounding area and there is no garage provision. The CPGNRD states that to promote ease of use and cycling as the model choice, cycle parking should usually be at the front of the building.
16. Having regard to the above policy and guidance, it does not prevent cycle parking being located at the rear of new dwellings. No garages are proposed to serve the dwellings and, the provision of secure cycle store at the front of the proposed dwellings would, by necessity, need to be in a prominent location, immediately at the back of the footpath along the Close. In this location, a cycle store would add to the cramped feel of the development, harmful to the character of the surrounding area. Also, the proposed cycle stores would be located close to the end of the footpath links at the side of the proposed dwellings and due to the short depth of the plots, the stores would not be a significant distance away from the front doors of the property and thereby promote ease of their use.
17. Having regard to the above, the proposed dwellings would have acceptable cycle parking provision located at the rear of the dwellings which would not conflict with Policy 82 of the CLP or the guidance contained in the CPGNRD, that requires, amongst other things, cycle parking for new dwellings to be easily accessible for the future occupiers and usually located to the front of dwellings.

Other Matters

18. The proposal would contribute to the delivery of new housing in the city and may help to meet local housing needs, although no substantive evidence has

been provided in this regard to show how this would outweigh the harm identified.

19. The proposed high density of the development would promote the efficient use of land, however, the proposed density would not be in keeping with the local context and would be harmful to the character and appearance of the surrounding area and the living conditions of occupiers of No 149, as identified above.
20. Whilst there are no concerns raised in regard to highway safety, environmental health, and drainage matters, this does not sufficiently weigh against the harm identified.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed.

C Billings
INSPECTOR