



Appeal Decision

Site visit made on 18 June 2024

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2024

Appeal Ref: APP/Q0505/W/23/3333426

45 Highworth Avenue, Cambridge, Cambridgeshire CB4 2BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Dyason on behalf of Dyason Developments Limited against the decision of Cambridge City Council.
 - The application Ref is 23/01039/FUL.
 - The development proposed is residential redevelopment comprising two detached dwellings to the rear with garages on the site frontage along with cycle parking and associated infrastructure following demolition of existing buildings on site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Highworth Avenue is a residential street predominantly comprised of substantial 1920s-1950s two-storey detached and semi-detached dwellings of a mix of architectural styles, utilising a range of traditional design details and materials with modern alterations.
4. Dwellings are regularly spaced, following a linear pattern with a consistent building line, and set back from the street by gardens and driveways. Therefore, there is uniformity in the layout and form of development.
5. Street trees and vegetated front and rear gardens contribute to the area's verdant, suburban character, and long, regular-shaped plots provide a spacious layout of development.
6. The appeal site includes a bungalow which is set back significantly from the building line behind a double garage. There are no other examples of development behind the building line in the area, and therefore the site's built form and layout differ from the prevailing pattern of development.
7. The existing flat-roofed, single storey garage appears modest in scale within the context of surrounding dwellings. The front of the bungalow is mainly obscured from view by the garage, and its visual prominence is minimised by its single storey height and low hipped roof form. The existing buildings on the site do not therefore appear dominant within the street scene.

8. The appeal site widens at the rear to include land behind nos 43 and 47. The site is therefore of irregular shape, larger than surrounding dwelling plots and atypical of the layout of the area. Nonetheless, with its large rear garden, the site contributes positively to the area's spacious character.
9. The proposed 1.5 storey double garage would replace the existing garage and would be broadly centred between the adjacent dwellings, following the building line at the front of the site. The existing bungalow would be demolished, and the proposed dwellings would be of a modern asymmetric design, which seeks to reduce the units' massing and soften visual impacts.
10. The new garage would partly obscure the proposed dwellings from view from the street. However, as illustrated on drawing no PL-301, the roof line and two-storey built form of the proposed dwellings would be clearly visible above the garage roof, and on either side of the garage through gaps between neighbouring dwellings. The proposed dwellings would appear substantial in scale and bulk and would be visually dominant from the street.
11. From the street, the built form would be visible across the width of the site. The siting of the proposed dwellings behind the building line would appear incongruous with the uniform and regular layout of development in the surrounding area. The garage would therefore fail to adequately screen the proposed dwellings from view from the street.
12. The massing of the proposed dwellings would comprise two-storey and single-storey volumes. The single-storey rear projections would be obscured from view from the street by the two-storey elements of each dwelling. Whilst future occupants would be provided private external amenity space, the footprint of the proposed dwellings would occupy a significant portion of the site. The proposal would therefore have a significant urbanising effect upon the rear garden. The cumulative visual effects of the footprint, scale, bulk, and massing of the built form would erode the spacious and green character of the area.
13. The proposed 1.5 storey double garage has sought to provide a traditional design approach to provide a positive presence. The garage would have a pitched roof and prominent front and rear dormers. However, the dormers would appear excessive in scale, adding considerable bulk to the roof, and therefore the garage would not constitute a suitable infill within the street frontage or successfully assimilate into the street scene.
14. As set out above, through its siting, scale, bulk, footprint and unsympathetic design, the proposal would be out of keeping with the layout of development, would not complement the street scene, and would erode the area's verdant and spacious character. Even taking into account the differing form and arrangement of the existing site, the proposal would harm the character and appearance of the area.
15. The proposal would conflict with Policy 52 of the Cambridge Local Plan 2018 which requires that, for sites that form part of a garden, the form, height and layout of the proposed development be appropriate to the surrounding pattern of development and the character of the area. In addition, the proposal would not satisfy Cambridge Local Plan Policies 55 and 57, which together require proposals respond positively to their context and setting in terms of location on the site, height, scale, form, and townscape.

Other Matters

16. In a previous appeal decision¹, a proposal for three detached dwellings on the site was dismissed. The Inspector did not identify conflict with the development plan in respect of the effect of the proposal on the character and appearance of the area. The previous scheme proposed two dwellings of marginally smaller footprint, but broadly similar design and siting to the appeal proposal.
17. However, the previous scheme also included a dwelling at the site's frontage which the Inspector concluded would, by way of its location and appearance, be sympathetic to the pattern of development. The design of the dwelling comprised two-storeys with living accommodation in the attic, with its height reflecting neighbouring dwellings. The Inspector concluded the dwelling would reduce views down the site, limiting the extent to which the development at the rear of the plot would be visible in public views and considered the dwellings at the rear would appear as retiring features within the street scene.
18. The previous appeal decision has informed the preparation of the current proposal. However, the appeal proposal omits the dwelling at the front in favour of a double garage. As set out above, I have found the proposed garage would be of unsympathetic design and would fail to mitigate the visual effects of the proposed dwellings on the character and appearance of the area.
19. Consequently, the visual impacts of the appeal proposal would be materially different from the previous scheme, and the effect on the character and appearance of the area of each scheme is not wholly comparable. The absence of identified harm in the previous decision does not justify the appeal proposal.
20. The appellant asserts the proposal would improve the outlook of occupants of neighbouring dwellings. However, since I have no evidence to suggest the existing arrangement is detrimental to living conditions, I attach limited weight to any enhancement to outlook.

Conclusion

21. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

E Dade

INSPECTOR

¹ Appeal ref: APP/Q0505/W/21/3289046