



Appeal Decision

Site visit made on 20 August 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2024

Appeal Ref: APP/Q0505/W/24/3340322

40B Flat 1, Green End Road, Cambridge, Cambridgeshire CB4 1RY

- 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 Giove Builders Limited against the decision of Cambridge City Council.
 - The application reference is 23/04451/FUL.
 - The development proposed is a single storey rear extension to create a studio dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of future residents of the studio flat with regard to outlook.

Reasons

3. The proposal would result in a rear extension to this existing part commercial, part residential, building. There is a separate dwelling served by the side access to the rear of the appeal property. Whilst many of the nearby residential properties have long rear gardens, the character of the built form in this specific location differs significantly. The proposed rear addition would not be out of keeping in this location and would have no discernible impact on the wider character or appearance of the area.
 4. The plans submitted with the application show a studio apartment with two side facing windows. One would serve a small shower room. The larger window would serve the remaining combined kitchen, bedroom and living area within this single room. The limited size and position of this window, both in relation to the internal living accommodation and with regard to it being immediately adjacent to the external footpath and vehicle access, would result in a poor outlook for future residents. Ensuring privacy within the room, from the footpath, would reduce the outlook further. The two roof lights would however increase light levels within the room. Two of the existing first floor studios have a similar sized window and aspect but they are orientated differently and being at first floor level, they have a better outlook, from more of the room, without privacy concerns.
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5. A revised floor plan has been provided which shows what appears to be patio style doors to the rear elevation of the studio and a separate small patio area outside these doors. It is suggested by the appellant that a fence could also be provided for privacy. Amended elevations have not been provided. The additional opening would improve living conditions within the studio with regard to light and outlook. However, privacy would be significantly compromised as the other residents would pass very close to the proposed opening. The bike rack and clothes drying/garden area would also be outside these doors. The suggested fence would assist with privacy but would result in a reduced outlook.
6. The original plans do not provide accommodation with a satisfactory outlook. The revised plans, whilst offering some improvements, do not achieve an increased level of outlook without resulting in compromised privacy and potentially increased levels of disturbance. Whilst there may be the potential for alternative window arrangements that offer increased outlook without loss of privacy, neither of the floor plans submitted achieve a satisfactory balance in this regard. The proposal therefore conflicts with the amenity requirements of policy 52c of the Cambridge Local Plan 2018 (LP) and those of the National Planning Policy Framework 2023.
7. The plans show suitably sized accommodation and whilst the shared amenity space would be reduced in size, it would allow for effective and practical use of the space by residents, offering bike storage and space for drying and sitting out. Given the space available within the driveway, adequate provision for bins for the residential and commercial units could be provided and be required by condition. The new structure would not harm the amenities of the neighbouring residents at 42 Green End Road as it would be set away from the boundary. The proposal would not therefore conflict with the other design elements of LP policy 52 or policies 50, 56, 57 or 58.
8. There would be considerable benefits to the provision of further residential accommodation. This would be achieved without harm to the character or appearance of the area and adequate facilities for all users of the building could be achieved without detriment to surrounding residents. However, the layouts submitted do not provide for adequate living conditions with regard to outlook and raise concerns with regard to privacy and levels of disturbance. In these circumstances, although there are significant benefits to this proposal, these are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR