



The Planning
Inspectorate

Quality Assurance Unit
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Joely Day
Cambridge City Council
PO Box 700
Cambridge
CB1 0JH

Your Ref: 09/0821/FUL
Our Ref: APP/Q0505/A/10/2126207/NWF
Date: 19 November 2010

Dear Ms Day

Town and Country Planning Act 1990
Appeal by Mr M Munnelly
Site at 33 Queen Ediths Way, Cambridge, CB1 8PJ

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Robert Cook

Robert Cook

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You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

Quality Assurance Unit
Planning Policy Unit
Customer Services
01753 832322
01753 832322

Case Ref: 02/00231/JL
Date: 12/05/2002
Case Name: 12/00231/JL

Dear Sir,
I enclose a copy of our Inspector's decision on the above appeal.
If you have queries or comments, please contact the Inspector at the address below.
Yours faithfully,
The Inspector

If you do not have internet access, you would like a hard copy of our decision, please contact our Customer Services Unit at the address above.
Please note that the Planning Inspectorate does not have a telephone helpline. If you would like more information on our services, please visit our website at www.pcs.planningportal.gov.uk

Robert Cook
Planning Inspector

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Appeal Decision

Site visit made on 20 October 2010

by Terrence Kemmann-Lane JP DipTP FRTPI MCMi

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 November 2010

Appeal Ref: APP/Q0505/A/10/2126207

33 Queen Edith's Way, Cambridge, CB1 8PJ

- 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 M Munnely against the decision of Cambridge City Council.
 - The application Ref 09/0821/FUL, dated 1 September 2009, was refused by notice dated 6 January 2010.
 - The development proposed is residential development (8 two bedroom flats), access, car parking, cycle store, landscaping following demolition of existing house and garage.
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Decision

1. I dismiss the appeal.

Main Issues

2. There are two issues in this case: i) whether the proposal would be unduly dominant and intrusive, particularly in respect of the existing character of Queen Edith's Way; and ii) whether the design of the proposed development is successful in terms of the way that the building would connect to the locality outside the site and the way that it provides for the amenity of future occupiers of the proposed apartments, and its impact of the amenities of the neighbouring occupier at 35 Queen Edith's Way.
3. The third refusal reason appears to have been overcome with the submission of a section 106 agreement, although in view of my decision it has not been necessary for me to examine it in detail to ensure compliance with regulation 122 of the Community Infrastructure Levy Regulations 2010.

Reasons

4. The site is located in the south-eastern part of the City within a residential area having a wide mix of styles. Although the existing dwelling is numbered within Queen Edith's Way, effectively it fronts Mowbray Road, as does the appeal proposal. The character of the two roads is rather different, the houses along Queen Edith's Way generally being large and detached in generous gardens, whilst those in Mowbray Road are generally semi-detached or terraced and smaller in scale. In the vicinity of the Queen Edith's Way/Mowbray Road junction there are a number of flatted developments, mostly of recent construction. To my mind the existing house on the appeal site provides a satisfactory transition between Queen Edith's Way and Mowbray Road.

5. I consider that the modern design is satisfactory in its relationship with development on Mowbray Road, and reasonably takes references from recent nearby flatted developments, albeit that, it seems to me it does not seek to make a particularly bold statement. However, it is not successful in the way in which it relates to Queen Edith's Way: the existing planting, admittedly not consisting of good specimens, is removed and the replacements would take quite some time to establish. These new trees would be needed so that the flank elevation of the flats, coming relatively close to the Queen Edith's Way frontage, would not dominate in this view. I conclude that this poor relationship means that the proposal would be unduly dominant and intrusive to the existing character of Queen Edith's Way
6. This is compounded by the poor relationship to the public realm of the narrow entrance to the flats at the back of the building, set hard up against the eastern boundary. I am further concerned by the relationship of the communal open space at the front of the building. The flats have their outlook towards Mowbray Road, across this green area, and therefore any use of it by the occupiers, other than for visual amenity, would be invasive of the privacy of the occupants of the ground floor apartments.
7. I consider that the proposed building would have little effect on the amenity of the house and rear garden of the neighbours at 35 Queen Edith's Way, although for the reason that I have dealt with in relation to its intrusive relationship with Queen Edith's Way, I consider that it would enclose the front garden area of that property to a degree which would be harmful to the reasonable enjoyment of the occupiers.
8. Having taken account of all matters raised, my conclusion is that, for the reasons given above, the proposal fails to comply with East of England Plan policy ENV7 and Cambridge Local Plan policies 3/4, 3/7 and 3/12 cited by the local planning authority.

Terrence J Kemmann-lane

Inspector