



Appeal Decision

Site visit made on 19 October 2010

by **M Middleton** BA(Econ) DipTP Dip Mgmt
MRTPI

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

The Planning Inspectorate
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Decision date:
4 November 2010

Appeal Ref: APP/Q0505/A/10/2134276
Rear of 190 Green End Road, Cambridge, CB4 1RN

- 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 Angelo Dama against the decision of Cambridge City Council.
- The application Ref 10/0304/FUL, dated 31 March 2010, was refused by notice dated 1 June 2010.
- The development proposed is a bungalow in place of an existing row of garages.

Decision

1. I dismiss the appeal.

Main issues

2. The effect of the proposal on
 - a) the character and appearance of the area;
 - b) the living conditions at neighbouring properties and at the appeal site;
 - c) highway and pedestrian safety;
 - d) the provision of recreational and community facilities in the area.

Reasons

Character and appearance

3. The appeal site is located to the rear of a group of shops and commercial premises in a mixed area that is largely residential. As well as the block of garages, there are a number of substantial out-buildings in this 'backland area', which contribute to its character. The garages are in a state of disrepair and would benefit from a scheme of improvement or redevelopment. The replacement of one built structure with another would not significantly change the appearance of this area.
 4. The bungalow would be built in brick with a slate clad, hipped roof, responding to its context and reflecting characteristics of existing development in the area, both requirements of Saved Policy 3/4 of the *Cambridge City Council Local Plan* (LP). It would also be in accordance with criteria a and c of Saved LP Policy 3/12. Whilst there would be comings and goings to the rear cycle and bin store, the activity associated with this is likely to generate much less noise and disturbance than the use of four garages. I conclude that the proposal would not have an adverse impact on the character and appearance of this area.
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Living conditions

5. The front elevation of the dwelling abuts an area of car parking. Its bedroom and dining room windows would look out onto this area. The comings and goings of vehicles would generate noise and disturbance to the detriment of the living conditions of the occupiers of the bungalow. Bedrooms should be quiet environments and not subject to excessive noise and disturbance from third parties starting or manoeuvring vehicles, which would be the case here. I conclude that the proposal would not create acceptable living conditions for the occupiers of the appeal dwelling.
6. Furthermore, given the proximity of the dwelling to the rear of No 190A, the outlook from its front windows would be somewhat overbearing and there would be privacy concerns because of the proximity of windows in the two dwellings. The interrelationship between these buildings is far from satisfactory and contrary to the requirement of criterion a of Saved LP Policy 3/7.
7. The proposal would abut the rear gardens at Nos. 186 and 200 Green End Road. The window overlooking No.200 is to a shower room and could be obscure glazed, without detriment to the living conditions at the appeal property or this neighbour. Whilst the location of the cycle/bin store would undoubtedly result in an introduction of comings and goings to the rear of the appeal site, to the detriment of the neighbour at No. 186, noise and disturbance from the use of the garages would be reduced so that on balance, the living conditions at No. 186 would not be affected to an extent that justified refusing planning permission.

Highway and pedestrian safety

8. The access to the rear of this dwelling is narrow, particularly at the side of No. 190A. However, it is wider close to Green End Road, where there is good visibility. Following the removal of the garages, fewer vehicles would be using the access than has occurred in the past. The proposal would not therefore give rise to increased highway or pedestrian safety issues at the junction of the access with Green End Road.
9. Additionally, given its short length and the constraints along the access, vehicles are unlikely to be travelling at speed so that the use of the drive by vehicles accessing three parking spaces and a garage should not give rise to highway safety problems, particularly as there is no evidence to suggest that there has been a historic problem.
10. Although there is no information on the layout of the car park, I am satisfied that three vehicles could park and safely manoeuvre there without obstructing the garage. In my view, the proposal would not have an unacceptable transport impact and is in accordance with Saved LP Policy 8/2. I conclude that the proposal would not have an adverse impact on highway and pedestrian safety.

Recreational and community facilities

11. To maintain standards of recreational and community infrastructure provision, saved policies of the LP and the *Cambridge and Peterborough Structure Plan*

(SP) require residential development to provide such facilities and any necessary additional infrastructure in accordance with *Cambridge City Council Open Space Standards* and other guidance. There is no information accompanying the appeal to demonstrate how this would be achieved. The proposal is therefore contrary to Saved LP Policies 3/8, 3/12 and 5/14 and Saved SP Policies P6/1 and P9/8. I conclude that the proposal would not adequately provide for recreational and community facilities in the area.

Conclusion

12. Although I have found that the proposal would not have an adverse impact on the character and appearance of this area or highway and pedestrian safety, I have concluded that the proposal would provide unsatisfactory living conditions for the residents of the appeal property. This on its own is sufficient to dismiss this appeal. The absence of proposals to maintain standards of recreational and community infrastructure is a further reason to dismiss the appeal. I therefore find, for the reasons discussed above and having taken account of all the other matters raised that the appeal should be dismissed.

M Middleton

INSPECTOR

