

Appeal Decision

Site visit made on 2 February 2016

by **Helen Hockenhull BA (Hons) B.PI MRTPI**

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

Decision date: 4 March 2016

Appeal Ref: APP/Q0505/W/15/3135233

Zahza Grill, 60 Trumpington Road, Cambridge, Cambridgeshire CB2 8EX

- 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 Rahman, Zahza Grill against the decision of Cambridge City Council.
 - The application Ref 15/0152/FUL, dated 27 January 2015, was refused by notice dated 2 April 2015.
 - The development is a dry storage building. Extension to existing extract duct and additional storage space with raised roof to existing.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has commenced but has not been completed. I have dealt with the appeal accordingly.

Main Issues

3. The main issues are
 - the effect of the development on the character and appearance of the building and the surrounding area;
 - the effect of the development on the living conditions of the occupants of neighbouring properties with particular regard to outlook and odour emissions.

Reasons

Character and appearance

4. The appeal building forms a two storey white rendered property with a single storey rear extension in a restaurant use. At the time of my visit the business was no longer operating and the windows and doors to the property were boarded up. Trumpington Road forms one of the main routes in to the City Centre and forms a wide tree lined road with individually designed commercial properties, schools as well as large dwellings set in spacious plots.
 5. I observed on my visit that the extension to the extract duct to the side elevation of the building has been implemented. When viewed from the road it
-

- is particularly prominent. It has a square and bulky appearance and due to its stainless steel materials contrasts significantly with the white render of the host building. It appears as an incongruous addition, adversely affecting the character and appearance of the restaurant building and the surrounding area.
6. The rear extension, though it is set further back to the rear of the site, is visible obliquely from Trumpington Road. Whilst I consider it to be appropriate in terms of scale and proportion to the existing building, the timber cladding materials, stained to match the rear boundary fence, are not in keeping with the white render of the host building. The extension appears as an unsympathetic addition at odds with the character and appearance of the building and out of keeping with the high quality design and materials of buildings in the surrounding area.
 7. Turning to the free standing store building, I observed that this structure has been erected but that it is not complete; the proposed black shiplap cladding has not been provided. The building is visible approximately half a metre above the boundary fence between the appeal site and neighbouring properties, No's 2, 3 and 4 North Cottages. These cottages form traditional Victorian brick terraced dwellings. Whilst the provision of shiplap cladding would improve the appearance of the chipboard building, the design and proposed materials would not reflect or complement the existing restaurant building or the neighbouring dwellings.
 8. I therefore conclude that the development would harm the character and appearance of the host building and the surrounding area. The development would be contrary to policies 3/4, 3/7, 3/12 and 3/14 of the Cambridge Local Plan 2006 which seek to achieve high quality design responding to local context. These policies I find to be in consistent with the National Planning Policy Framework (the Framework) in particular paragraphs 17 and 56 which aim to secure similar objectives.

Living conditions

9. The replacement store is located next to the boundary fence between the appeal site and No's 2, 3 and 4 North Cottages. The fence is approximately 1.8 metres high and the development extends approximately half a metre above it. A narrow stoned access road, approximately 4 metres wide, separates the fence and the front windows of the neighbouring properties. At this proximity, the storage building appears as a dominant feature which has an overbearing and enclosing effect, particularly on the ground floor windows of these properties. This adversely affects the outlook for the occupants of these dwellings. The proposed black shiplap cladding would improve the appearance of the building, however this would in my view, be insufficient to overcome the impact on the visual amenity and outlook from these neighbouring properties.
10. With regard to the extended flue, I have no evidence before me to demonstrate the impact on the living conditions of the occupants of neighbouring properties. I note from the appellants evidence that the raising the height of the flue is designed to improve the level of discharge and therefore protect the amenity of neighbours. I have had regard to the fact that this is an existing restaurant and that an extraction system is already in place. In addition I have not been provided with any evidence that there is an existing odour problem. As a result I consider that an appropriate condition could be imposed requiring further details of the system to be submitted for approval by the Council. I am

satisfied that this would safeguard the occupants of neighbouring properties with regard to odour emissions, in line with Policy 4/13 of the Cambridge Local Plan 2006.

11. Notwithstanding the above, I consider that the development would harm the living conditions of the occupants of neighbouring properties, in particular 2, 3 and 4 North Cottages, with regard to outlook. The development would therefore be contrary to Policy 3/4 of the Cambridge Local Plan 2006 which seeks to ensure developments have regard to their context to integrate successfully in the locality, a policy generally consistent with the Framework.

Conclusion

12. I have found that the development would harm the character and appearance of the area and the living conditions of the occupants of neighbouring properties with regards to outlook.
13. For the reasons given above and having regard to all other matters raised, I dismiss the appeal.

Helen Hockenhull

INSPECTOR