



Appeal Decision

Site visit made on 28 June 2022

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2022

Appeal Ref: APP/Q0505/W/22/3292173

185-189 Newmarket Road & 1 Godesdone Road, Cambridge CB5 8HA

- 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 Glazewater Properties (Bedford) Ltd against the decision of Cambridge City Council.
 - The application Ref 19/1010/FUL, dated 18 June 2019, was refused by notice dated 3 December 2021.
 - The development proposed is the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, the Riverside and Stourbridge Common Conservation Area (RSCA), I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving or enhancing the character of RSCA; and,
 - Whether the proposal would provide a suitable standard of accommodation for future occupiers.

Reasons

Character and Appearance

4. The RSCA encompasses a long stretch of the river and areas of land to either side, the appeal site forms part of an area adjacent to the river that is characterised by terraces. From my observations on site and the evidence before me, I find that the conservation area's significance stems from the appearance of the historic buildings and the extent to which their legibility is still intact, as well as the area's relationship to the river. Given the above, I find that the significance of the RSCA, insofar as it relates to the appeal, to be

primarily associated with the appearance of the surrounding buildings, in particular their form and design, and the pattern of development. The terraces closest to the appeal site are primarily two-storeys in height, served by communal roofs set parallel with the road and have windows in a portrait orientation.

5. The appeal site is located at the junction between Newmarket Road and Godesdone Road at the edge of the conservation area. The site contains two buildings, one of which faces Godesdone Road while the other faces both Godesdone Road and Newmarket Road. The opposite side of Newmarket Road is outside of the RSCA and there are a number of large modern buildings that do not replicate the development within the conservation area. However, given the discrete nature of the architecture, and the separation resulting from the carriageway, I find that the modern development does not affect the relationship of the appeal site to the wider RSCA.
6. Given its siting, the corner building is in a prominent position where it would be seen from within the conservation area as well as in views in to and out of it. The proposed gables would be prominent features that, with particular regard to those facing on to Newmarket Road, would not be in keeping with the roofscape present in the street scene. Whilst gables are present on the existing building on Godesdone Road, I find that the cumulative impact of the four gables across the corner building would result in an incoherent roof that would form a jarring feature within an area that is predominantly characterised by simple, communal roofs. Moreover, the incongruous nature of the proposal would be exacerbated by the first floor windows which would not be sympathetic to the pattern and proportions of the fenestration present on the terraces on either street.
7. However, the upper-floor extension across from the corner building to the retained building facing Godesdone Road would be a relatively simple feature that would be in keeping with the style and scale of the adjoining terraces. This extension would also replace an existing roof which does not positively contribute towards the character or appearance of the area.
8. The proposed changes within the rear courtyard area, whilst of a somewhat modern style, would not be readily visible from the public domain and would have only limited prominence from the private domain. I therefore find that these changes would not unacceptably affect the character or appearance of the conservation area experienced as a whole and would therefore preserve its significance.
9. Nevertheless, given the identified harm above, the proposal would fail to preserve or enhance the character or appearance of the conservation area. I am mindful of the scale of the development in relation to this heritage asset and find that the harm caused would be less than substantial. However, the Framework is clear that great weight should be given to an asset's conservation. In this case the harm that I have identified needs to be weighed against the public benefits of the development.
10. The appellant has submitted that the proposed development would make use of previously developed land in providing new dwellings in a location with good access to services and facilities. The proposal would also likely result in some economic benefits as a result of the development works and future occupiers. I

find that these matters would be public benefits and given the scale of the development I attach these matters collectively, moderate weight.

11. The proposal would also likely result in some improvements to the living conditions of the neighbouring occupiers on Godesdone Road by way of lowering the boundary wall. However, as this change would be rather limited, it affords only modest weight.
12. Accordingly, although I have found public benefits, there is no public benefit cited which outweighs the considerable importance and weight I give to preserving the character or appearance of the conservation area.
13. Therefore, as the proposal would not preserve or enhance the nearby heritage asset and would result in harm to the character and appearance of the local area more generally, it would conflict with Policies 58 and 61 of the Cambridge Local Plan (the CLP, October 2018) This policy requires developments to have a positive impact on, and ensure the conservation and enhancement of, Cambridge's historic environment, with particular reference to fenestration. The proposal would also fail to satisfy the requirements of the Act, and would conflict with Chapter 16 of the National Planning Policy Framework (the Framework) regarding the historic environment, including Paragraphs 197 and 199-208.

Living Conditions

14. I note that there is a disagreement between the main parties as to whether the proposal should be considered as the conversion of an existing building or a new build. I find, from the evidence before me, that while there would be a significant number of alterations, including demolition works, the existing buildings would be retained and altered, rather than replaced in their entirety.
15. Therefore, although CLP Policy 50 requires all developments to provide external private amenity space, the supporting text allows for leeway where the development is for a conversion and the provision of such space is not practical. In this case, given the tight nature of the site and the presence of windows facing the courtyard, I find that any amenity space, whether on the ground or by way of balconies would be overlooked. It would therefore not be practical to provide suitable private outdoor amenity spaces through the conversion of the buildings on site. Give that the proposed dwellings are unlikely to be occupied by families or children, as they provide only a single bedroom, the communal outside space would accommodate the likely needs of future occupiers, such as sitting outside.
16. I note from the appellant and Council's submissions that the proposed dwellings would meet the internal space standards set out in CLP Policy 50 and that seven of the proposed units would exceed the minimum space requirements. Whilst units 11 and 12 would be within the roof space, where head height may be more limited, from the submissions before me I find that the area of head height above 2.3m would be sufficient to meet the requirements of CLP Policy 50. Moreover, whilst units 11 and 12 would be primarily served by rooflights, I find that they would still afford future occupiers an open outlook and good levels of natural light. Therefore, I find that the proposed dwellings would not be cramped or enclosed to the detriment of the living conditions of future occupiers.

17. The proposal would therefore provide a suitable standard of accommodation for future occupiers with regard to the size and quality of their internal and external amenity space. The proposal would therefore comply with CLP Policies 50 and 58, which collectively, and amongst other matters, require that developments to provide sufficient amenity space where possible, and to provide suitable internal floor space areas for future occupiers. It would also comply with Paragraph 130 of the Framework with regards to providing a high standard of amenity for future users.

Other Matters

18. Although the Council's pre-application advice may have been supportive of the development, such advice cannot bind the Council's complete assessment of a scheme when considered under a full planning application.

Conclusion

19. As outlined above, the proposal would result in harm to the RSCA and there are no public benefits which outweigh this harm. Whilst the proposal would not result in any harm to the living conditions of future occupiers, this is not a benefit in itself and so I attribute it neutral weight. Consequently, this lack of harm would not, either on its own or with the benefits outlined above, outweigh the harm to the conservation area. Therefore, the proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
20. Therefore, and for the reasons given above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR