
Appeal Decision

Site visit made on 14 August 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 1st October 2020

Appeal Ref: APP/Q0505/W/20/3251413
42 Birdwood Road, Cambridge CB1 3SU

- 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 Mrs Katharine Wong & Mr Kelvin Sing against the decision of Cambridge City Council.
 - The application Ref 19/0379/FUL, dated 14 March 2019, was refused by notice dated 27 February 2020.
 - The development proposed is described as, 'two bed dwelling'.
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Decision

1. The appeal is dismissed.

Main Issues

2. While I note the three reasons for refusal, from the wider evidence, the main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide a suitable living environment for future occupiers with particular regard for privacy and internal space.

Reasons

Character and appearance

3. The site lies to the rear of No 42 Birdwood Road (No 42), a semi-detached dwelling and borders Gray Road. The area is generally characterised by a range of two-storey dwellings that are set back from the pavement with front gardens such that the area has a pleasant spacious character and appearance.
4. The proposal would consist of the demolition of an existing garage and the erection of a dwelling that would be one and a half storeys tall with accommodation in the roof space. It would have a pitched and hipped roof, which would result in a massing that would be significantly larger than the existing garage. Therefore, together with its siting near the back of the pavement of Gray Road, would result in a dominant and incongruous appearance that would diminish the spacious character of the area.
5. While I acknowledge the scale and appearance of the development adjacent to No 2 Gray Road, from my observations during the site visit, these buildings

appear to have roofs with a single pitch and are single storey such that they seem to be smaller in scale than the appeal proposal would be. As such, they do not adversely affect the spacious quality of the area and their presence do not override the harm to the character of the area that would result from the proposed development.

6. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with Policies 52, 55 and 57 of the Cambridge Local Plan October 2018 (LP) which together require, among other things, that the form, materials, height and layout of the proposed development is appropriate to the surrounding pattern of development and responds positively to its context. It would also conflict with LP Policy 56 which seeks, among other things, developments that create attractive and appropriately-scaled built frontages to positively enhance the townscape where development adjoins streets.

Living environment

7. The host building, No 42, has windows on the first floor rear elevation that would overlook the private amenity space and window to the living area of the proposed development. In addition, the neighbouring dwelling, No 44 Birdwood Road (No 44), has windows at second floor on a rear dormer extension as well as a window at first floor that would overlook the proposed private amenity space. I acknowledge the height of the proposed fence and the separation distance between the two properties. However, while these would provide a degree of privacy, given the height and proximity of the windows at first and second floor of Nos 42 and 44, the proposal would result in a living environment with inadequate levels of privacy in the private amenity space and living area.
8. I also note the evidence relating to No 1 Corrie Road, however, limited further details are before me such that I am unable to draw a direct comparison between the two schemes. In any event, I have determined this appeal based on its individual merits.
9. Turning my attention to the internal space provision, there is a disagreement between the main parties as to the Gross Internal Area (GIA) of the proposed dwelling. Even if the appellant's figure was assessed for the purposes of this appeal, there would still be a significant shortfall such that the proposal would conflict with LP Policy 50 which sets out residential space standards.
10. With regard to the aims of the Policy, there is limited built in storage indicated on the drawings and the bathroom on the first floor in particular appears very constrained. Therefore, I am not persuaded that the proposed dwellings would provide sufficient space for basic daily activities and needs that can be used flexibly by a range of residents.
11. While it may be the case that the development adjacent to No 2 Gray Road provides less internal space, limited further details are before me to allow a direct comparison with this proposal which I have assessed based on its individual merits.
12. Consequently, the proposed development would not provide a suitable living environment for future occupiers with particular regard for privacy and internal space. Therefore, it would conflict with LP Policy 50 which sets out residential

space standards. It would also conflict with LP Policy 52 which seeks, among other things, developments that protect the amenity and privacy of new properties. In addition, it would conflict with LP Policy 56 which seeks, among other things, private amenity spaces that are designed to be inclusive, usable, safe and enjoyable and would conflict with the aims of LP Policy 59 which relates to external spaces.

Other Matters

13. I note local concerns including light and parking as well as the privacy of neighbouring occupiers. Given the harm identified above, these have not altered my overall decision.

Conclusion

14. For the reasons given above, the appeal is dismissed.

R Sabu

INSPECTOR