
Appeal Decision

Site visit made on 1 February 2017

by R W Allen B.Sc PGDip MRTPI

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

Decision date: 09 February 2017.

Appeal Ref: APP/Q0505/W/16/3158394
37 Acrefield Drive, Cambridge CB4 1JW

- 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 Ms Jing Wang against the decision of Cambridge City Council.
 - The application Ref 16/0939/FUL, dated 20 May 2016, was refused by notice dated 19 August 2016.
 - The development proposed is single storey rear extension (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension (retrospective) at 37 Acrefield Drive, Cambridge CB4 1JW in accordance with the terms of the application, Ref 16/0939/FUL, dated 20 May 2016.

Preliminary Matter

2. The Council confirmed in an email dated 8 February 2017 that the appellant's flood risk assessment, submitted with the appeal, is sufficient to overcome its concerns set out in the second reason for refusal. As no other party has raised this as an issue, I have not considered the matter further in my decision.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 39 Acrefield Drive (No 39) having specific regard to enclosure and light.

Reasons

4. The appeal property is a two-storey mid-terraced dwelling house. To the rear, the property has been recently extended at single-storey level which encompasses almost the full width of the property, retaining a narrow passage between the extension and the boundary with No 35 Acrefield Drive.
5. The property benefits from planning consent granted under the prior approval for a single-storey extension, which the Council says measures 4.5m in depth; 2.424m in height to the eaves on the adjoining boundary with No 39; and 3.8m in height to the roof ridge. The main parties agree that the appellant has exceeded these dimensions, extending by a further 300mm in depth to 4.8m; the Council states the eaves height along the boundary is 3m and 4m to the ridge; the appellant says the eaves height is actually 2.9m and 3.9m to the ridge.

6. I observed at my site visit that the occupiers of No 39 are already somewhat enclosed, and experience a tunnelling effect because of the extension as well as the positioning of No 41 Acrefield Drive on the other boundary. However, even if the depth and height of the extension were to be reduced to the dimensions which the Council approved under prior approval, I find that it would make little discernible difference to what the occupiers of No 39 are already experiencing in terms feelings of enclosure and on light and overshadowing. It would, in my judgement, be a futile exercise in objecting to the currently built extension in the scheme of things.
7. I find the proposed development would accord with policies 3/4 and 3/14 of the Cambridge City Council Local Plan 2006 (with saved policies). These state that development will be permitted which demonstrate that they have responded to their context and do not unreasonably overshadow or visually dominate neighbouring properties.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

R Allen

INSPECTOR