

Appeal Decision

Site visits made on 16 February & 3 April 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 28 April 2017

Appeal Ref: APP/W0530/W/16/3161612

5 Church Road, Hauxton, Cambridge CB22 5HS

- 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 David Southby against the decision of South Cambridgeshire District Council.
 - The application Ref S/1682/16/FL, dated 23 June 2016, was refused by notice dated 21 September 2016.
 - The development proposed is alterations and extension to house to form two dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I carried out an unaccompanied site visit on 16 February 2017. However, it became apparent to me at that visit that to fully assess the proposal I required access to the side and rear of the dwelling. A further visit therefore was arranged and took place on 3 April 2017.

Main Issues

3. The main issues in this case are as follows:
 - The effect of the proposal on the living conditions of the occupiers of No 3 Church Road, with regard to outlook and daylight,
 - The effect of the proposal on the character and appearance of the surrounding area, and
 - The effect of the proposal on highway safety in Church Road.

Reasons

4. The appeal site lies on the south side of Church Road in the small village of Hauxton, and consists of a single large house with attached flat roofed gym/fitness studio. Evidence notes that the property used to house the village shop. The proposal seeks to alter and extend the property and convert it into two dwellings; one with six bedrooms and one with two bedrooms.
 5. The façade of the property at present has a distinctive design, with a first floor sited forward of the pitched roof of the house. This has a prominent wide central triangular gable, with two dormers sited on either side in the pitched roof. To the left the forward projection houses a garage with a shallow pitch
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roof; to the right the forward projection has a flat roof, matching the adjacent fitness studio.

6. The proposal seeks to retain the same footprint but raise the roof ridge on the main building, creating a new gable feature with pitched roof dormers to either side. The raising of the roof would allow the pitch of the roof to effectively cat-slide out to cover the ground floor forward projections, with the fitness centre remaining flat roofed. To the rear the raising of the ridge line would provide for a shorter roof pitch and a full two storey dwelling across most of the rear elevation.

Living conditions

7. No 3 Church Road lies to the east of the site. This house has a distinctive mansard roof with a rear outrigger running parallel to the boundary with No 5 Church Road. The 'L' shape created by this design on the rear part of the property provides an external courtyard, which is overlooked by a large window facing south, with dormers above in the main roof plane and to the west towards No 5 in the roof of the outrigger. The south facing ground floor window serves a living room according to the Council's report. A tall fence, topped with trellis currently forms the boundary. Narrow passageways are sited on both sides of the fence between the boundary and the walls of Nos 5 and 3. Consequently this courtyard area, and the windows surrounding it, is already sited very close to the side gable of No 5.
8. Whilst Nos 3 & 5 are set on similar front building lines, the effect of the single storey forward protrusion of No 5 effectively means that the main frontage building of No 3 is set forward of the bulk of No 5, so that consequently the rear courtyard is adjacent to the highest part of the current gable end of No 5. The proposal would involve raising the roof ridge of this gable end, creating substantially more mass to the northern and southern sides of the gable. The shaded side elevation on the submitted plans detail the additional mass that would be directly adjacent to this boundary.
9. Whilst the design of the proposal would not create issues of overlooking, the sheer mass of this extension at such proximity to the side elevation and rear courtyard of No 3 would increase the sense of enclosure to the occupiers of this property, having an overbearing presence and significantly compromising their outlook. Although I note the orientation of the dwellings such that the proposal would not have a significant effect on sunlight, the mass and bulk of the scheme would reduce daylight, leading to the rear facing room becoming gloomier. I note that the proposals have been discussed with the current occupiers of No 3 and that they have raised no objection to the scheme. However, this does not alter my view that the proposal would have an adverse effect upon their living conditions. I also note that the same occupiers may not always reside in No 3.
10. I therefore conclude that the proposal would have a severe adverse effect on the living conditions of the occupiers of No 3 Church Road, with regard to outlook and daylight. The proposal would be contrary to Policy DP/3 of the Development Control Policies¹ (DCP), which states that planning permission will not be granted where proposed development would have an unacceptable

¹ South Cambridgeshire District Council Local Development Framework Development Control Policies Development Plan Document July 2007

adverse impact on residential amenity, as well as to the National Planning Policy Framework (the Framework), which states as a core principle that planning should always seek to ensure a good standard of amenity for all existing occupants of land and buildings.

Character and appearance

11. Although a substantial building with a varied and complicated roofscape, at present No 5 is not particularly noticeable in the street scene; its set back nature and building line to match No 3 and the eastern side of No 7 Church Road ensures that visually it remains fairly low key.
12. The proposal in increasing the height of the roof ridge and extending the roof to the front would have the potential to increase the prominence of the overall structure. However, this would bring the roof ridge of the building to around the same level of the ridge of No 3, and the building line would remain the same. Therefore the proposal would not appear out of place within the street scene.
13. Whilst bulk would clearly be added to the structure, the proposal would to a certain extent rationalise the design of the building, producing a coherent façade which would appear less complicated and 'busy' than the current arrangement with the set-back first floor, large areas of flat roof and numerous dormer windows. Views of the larger side gables of the building would be limited from public areas but these would not be obtrusive.
14. I therefore conclude that the proposal would not have an adverse effect on the character and appearance of the surrounding area. The proposal would comply with Policy DP/2 of the DCP, which states that new development should be of a high quality design, preserve or enhance the character of the area and include variety and interest within a coherent design.

Highway Safety

15. Concern is raised over the number of parking spaces proposed for the development. The house and fitness centre has a substantial area of forecourt at present, with a wide paved drive in front of the property's garage and a driveway/ concreted area in front of the fitness centre. The two hardstanding areas are separated by a gravelled area.
16. The local highways authority have requested two car parking spaces for each dwelling and note that the new dwelling may impose additional demands upon on street parking on the surrounding streets. Policy TR/2 of the DCP states that car parking should be provided in accordance with maximum standards, including 1 space per 8m² of gross floor area for gyms, with 1.5 spaces per dwelling. The standards state that a maximum of 2 spaces per 3 or more bedrooms can be provided in poorly accessible areas. The Council state that the floorspace of the fitness centre results in a requirement for 5 parking spaces.
17. The submitted plan details 3 car parking spaces in front of the left hand side of the houses, with 6 tandem spaces in front of the right hand side and fitness centre. Based on the plans therefore 9 spaces are provided, with 5 required for the gym leaving 4 for the two houses. This would be more than 1.5 per dwelling, and would also allow for 2 spaces for the larger dwelling.

18. The Council state that no details have been provided which detail how such spaces would be allocated. However, the number of spaces provided appears sufficient to meet policy TR/2. Whilst I note that the tandem spaces may not be ideal, there is also sufficient space on the left side of the plot to create more than 3 spaces if necessary to segregate the dwelling and fitness centre requirements. Such details could be conditioned, along with markings, allocations and issues of turning areas/procedures.
19. The site is therefore sufficient to provide for the level of parking that would be required for the proposed two houses and the retained fitness centre, and with suitable conditions, the proposal would not have an adverse effect on highway safety in Church Road. In this respect the proposal would comply with DCP Policy DP/3 which states that all development proposals should provide car parking, with provision kept to a minimum.

Conclusion

20. Whilst I have found that the proposal would not cause harm to the character and appearance of the area or to matters of highway safety, I have concluded that the proposal would have a significant adverse effect on the living conditions of the occupiers of No 3 Church Road.
21. I note that the Council are unable to demonstrate a five year supply of deliverable housing sites. The proposal in providing a single additional property would deliver economic and social benefits through the delivery of this extra house. However, I consider that the adverse impact of the proposal would significantly and demonstrably outweigh such minor benefits, and would not constitute the sustainable development for which there is a presumption in favour of within the Framework. The proposal would be contrary to the Framework and to Policy DP/3 of the DCP.
22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR