
Appeal Decision

Site visit made on 26 June 2017

by Ian McHugh Dip TP MRTPI

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

Decision date: 11 August 2017

Appeal Ref: APP/Q0505/D/17/3176029
25 Stanesfield Road, Cambridge, CB5 8NH

- 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 Jane Chisango against the decision of Cambridge City Council.
 - The application Ref 17/0020/FUL, dated 5 January 2017, was refused by notice dated 16 March 2017.
 - The development proposed is a two storey side and rear extension, front porch and hard standing.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and rear extension, front porch and hardstanding at 25 Stanesfield Road, Cambridge, CB5 8NH, in accordance with the terms of the application Ref 17/0020/FUL, dated 5 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale Site Location Plan; 1:500 scale Block Plan; Drawing No: LPS122-1.1- Rev00 (Existing and Proposed Floor Plans and Elevations); and Drawing Number 1.2 (Roof Plans).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of the neighbouring property at number 27 Stanesfield Road (number 27), with particular regard to outlook.

Reasons

3. The appeal property is an end-of-terrace two storey dwelling, which is situated within a residential estate. A single storey outbuilding with a flat roof is positioned at the side of the dwelling, on the boundary with number 27. The outbuilding is one half of a larger building with the other half serving number 27.
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4. The proposal is to construct a new entrance porch with a lean-to sloping roof on the front elevation; a new vehicular hardstanding; and a two storey side and rear extension. The Council has no objections to the proposed porch or hardstanding. Given the relatively minor nature of these elements of the development, I have no reason to disagree with the Council's conclusions.
5. The two storey side and rear extension would provide a significant amount of new living accommodation at the appeal property, in the form of kitchen and dining space on the ground floor, and additional bedroom and en-suite accommodation at first floor level. At the side, the extension would be set-back from the existing front wall of the dwelling and it would be built up to the shared side boundary with number 27. Its depth on the side facing number 27 would be 7.6m and it would project just less than 3m from the existing rear wall of the property. The rear part of the extension would extend across the width of the existing dwelling by approximately 6.7m.
6. The Council contends that the proposed side and rear extension would have an overbearing and domineering impact on the garden area of number 27, because of its scale and overall mass. Accordingly, the Council states that the proposal would conflict with Policies 3/4, 3/7 and 3/14 of the adopted Cambridge Local Plan 2006 (LP). Of these, I consider Policy 3/14 to be the most relevant. This states (amongst other things) that extensions to buildings will be permitted, provided they do not unreasonably overlook, overshadow or visually dominate neighbouring properties. In my opinion, this policy is consistent with paragraph 17 of the National Planning Policy Framework (the Framework), which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
7. During my site visit, I viewed the appeal proposal from the rear garden of number 27. I acknowledge that there would be a significant increase in the amount of built development that would be seen from number 27. However, some of the new development would be between the two properties at the side and, in my opinion, the visual impact of the side elevation when viewed from the rear garden of number 27 would not be unduly harmful. Regarding the mass of the proposed extension across the rear elevation of the appeal property, the limited projection of the extension, combined with the size of the garden at number 27 (most of which would retain its open aspect), leads me to conclude that the effect on number 27 would not be significant or unacceptable.
8. In addition, I have considered the effect of the proposal on the outlook from and light available to the dwelling at number 27. I note that the windows and door on the side elevation of number 27 serve non-habitable rooms and, in that regard, I consider that any loss of light to these rooms would not be unduly harmful to the living conditions of the occupants. In terms of the outlook from the rear of number 27, I noted that there is a kitchen window at ground floor level and a bathroom window above, both of which face towards the rear garden, and are the closest windows to the proposed extension. However, because of the angular relationship and separation distance between these windows and the proposed extension, I am not persuaded that there would be any significant effect on the outlook from and light available to the dwelling at number 27.

9. Accordingly, I consider that the proposal would not have an adverse effect on the living conditions of the occupants of number 27. Consequently, there would be no conflict with the relevant provisions of the LP or with the Framework, as referred to above.

Other Matter

10. Reference has been made by third parties to difficulties that would ensue regarding vehicle parking on the site. I note that the Highway Authority expressed concerns over the limited space within the frontage of the appeal property. However, I have also taken into account the Council's comment that the proposal would not exacerbate the existing situation. My observations at the site visit accord with the Council's view and, therefore, I do not find the proposal to be unacceptable on highway grounds.

Conditions

11. The Council has suggested conditions in the event of the appeal being allowed. These have been considered in the light of the advice contained within the Planning Practice Guidance. A condition requiring the development to be carried out in accordance with the approved plans is necessary, for the avoidance of doubt and in the interests of proper planning.
12. To ensure a satisfactory appearance, a condition requiring the use of external materials to match the existing dwelling is also necessary.

Conclusion

13. For the reasons given above, it is concluded that the appeal should be allowed.

Ian McHugh

INSPECTOR