
Appeal Decision

Site visit made on 31 October 2017

by R A Exton Dip URP MRTPI

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

Decision date: 08 November 2017

Appeal Ref: APP/W0530/W/17/3179657
106 High Street, Harston CB22 7QB

- 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 T Mendham, Mendham Building Limited, against the decision of South Cambridgeshire District Council.
 - The application Ref S/3618/16/FL, dated 23 December 2016, was refused by notice dated 29 June 2017.
 - The development proposed is described as proposed change of use from workshop (light industrial) and conversion to dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal on the living conditions of future occupiers.

Procedural matter.

3. At the time of my site visit the dwelling granted planning permission under Ref S/2998/16/FL had been constructed. I have based my assessment of the proposal on my observations on site and the policies and evidence before me.

Reasons

Living conditions

4. The appeal site is situated to the rear of 106 and 108 High Street and is bounded to the south and east by High Meadow. It contains a part single and part two-storey workshop building. The proposal seeks to retain elements of the existing workshop to form the basis of a new dwelling.
5. The private garden areas for the proposed dwelling would be situated along its shared boundaries with Nos 106, 108 and 110 High Street and the dwelling now constructed in between Nos 106 and 108 ('the new dwelling'). The garden area that would extend along the shared boundary with No 110 would be clearly visible from windows at first floor in the rear elevation of No 108 and, to a lesser extent, the new dwelling.
6. This arrangement would deprive occupants of the proposed dwelling of a reasonable standard of privacy for a relatively large proportion of their garden area. The proposed boundary treatments as a whole, including the options

proposed by the appellant, would offer a degree of screening and privacy. However these would not prevent views along the full length of this part of the garden and afford a reasonable standard of privacy to occupiers.

7. First floor windows in the rear elevations of Nos 106, 108 and the new dwelling would face the rear elevation of the proposed dwelling which contains glazed doors serving a dining room. The proposal includes a timber pergola, shown in different positions on different drawings to screen these doors.
8. Whilst there would be the possibility of some views into the dining room from the first floor windows described, I consider that these would not lead to significant lack of privacy for occupiers. The pergola, in either of the positions shown would mitigate the effect and could be secured by an appropriately worded condition.
9. I note the visual improvements to the site and the removal of a business use from a predominantly residential area put forward in support of the proposal. However, these do not outweigh the harm to living conditions of future occupiers I have identified.
10. Whilst I find no harm arising from lack of privacy to the dining room in the proposed dwelling, the lack of privacy to the garden area would conflict with Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD adopted 2007. This seeks to resist development that would have an unacceptable adverse effect on residential amenity.

Other matters

11. I note interested parties concerns relating to highway safety. However, given my conclusion it is not necessary for me to consider these further.

Conclusion

12. For the above reasons I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR