



Appeal Decision

Site visit made on 16 September 2019

by D J Board BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2019

Appeal Ref: APP/W0530/D/19/3229428

36 Newton Road, Whittlesford, Cambridge, CB22 4PF

- 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 Aaron Foster against the decision of South Cambridgeshire District Council.
 - The application Ref S/0641/19/FL, dated 14 February 2019, was refused by notice dated 8 April 2019.
 - The development proposed is two storey side extension and single storey rear and front extensions to house.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension and single storey rear and front extensions to house at 36 Newton Road, Whittlesford, Cambridge, CB22 4PF in accordance with the terms of the application, Ref S/0641/19/FL, dated 14 February 2019, subject to the conditions in Annex A.

Main Issues

2. The appeal site is within the Metropolitan Green Belt and the main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (The Framework) and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of existing occupiers at no 38 Newton Road, with particular regard to outlook, daylight and sunlight; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. The Framework establishes that new buildings within the Green Belt are inappropriate, unless, amongst other things, it involves the extension of a building. This is provided that it does not result in disproportionate additions over and above the size of the original building. Policies NH/8 and H/13 of the

South Cambridge Local Plan (LP) set out policies for householder development in the Green Belt. In particular H/13 allows for the limited extension of existing dwellings in accordance with other policies. It sets out criteria for extension to dwellings in the Green Belt. Specifically, criterion 'd' is clear that in the Green Belt extensions to dwellings would be permitted where it would not result in a disproportionate addition to the original dwelling.

4. Neither the Framework nor LP policies set out a numerical limit for extensions. Further neither specifically identifies what might be a 'disproportionate' extension. Therefore, in assessing whether the appeal proposal is 'disproportionate' I have had regard to the criteria of LP policies H/13 and HQ/1.
5. The additions to the front and rear of the dwelling would be single storey. There would be a number of openings to the rear elevation whilst at the front there would be a garage door. However, in both cases the design would reflect the existing dwelling and the single storey projections would not be excessive in width or depth. The two storey element would be to the side of the property. The roof would sit below the height of the main dwelling. As such it would appear as a subservient addition to the dwelling utilising an appropriate roof form. The overall design and material finish of the extensions would match the existing dwelling. As a result, they would not appear dominant or intrusive.
6. The Council does not offer a figure for the increase of the dwelling due to the cumulative extensions proposed. The officer report refers to the 'substantial mass' of the extensions and the relationship to the main dwelling. I appreciate that the scheme would increase the size of the dwelling. The appellant points out that the dwelling has not been previously extended. The new additions would add to the living accommodation at ground floor and provide an additional bedroom. They would not subsume or dominate the existing dwelling, nor would they fundamentally alter its character or appearance. Therefore, I do not find that the additions in total, in terms of the accommodation provided or the overall bulk of the development would represent a disproportionate addition over and above the size of the original property. As such I consider that the extensions would not be inappropriate development.

Openness

7. Paragraph 133 of the Framework advises that one of the essential characteristics of a Green Belt is its openness. This is a matter of physical presence of the development rather than its visual qualities. No 36 is one of a pair of semi detached dwellings. It has a reasonable plot size and is set back from the road frontage. The extensions would add to both the depth and width of the dwelling.
8. The site is already in domestic use. Given its position and the fact that I have found that the extensions would not be a disproportionate addition, the scheme would not prejudice the fundamental aim of Green Belt policy, described in the Framework, as to prevent urban sprawl by keeping land permanently open. Openness is an essential characteristic of the Green Belt. In that the bulk of the building would be increased by the additional built development the proposal would reduce openness. However, in isolation, the loss of openness

would be minimal. It would not alter the essential characteristics of the Green Belt, described as openness and permanence.

Character and appearance

9. Newton Road is characterised by pairs of semi detached dwellings. The pairs are staggered within the wider street scene and a number of the properties have been extended to the side and front. The roof of the two storey addition would be set down from the ridge height of the main dwelling. The roof would be hipped and the materials would match the existing building.
10. I appreciate that No 38 already benefits from a side extension which is close to the common boundary. The appeal scheme would include a two storey side addition and a single storey front element. There would be a small gap to the common boundary. I understand that the extensions would be in the space to the side of No 36. However, they would be well designed and the position of the dwellings would place them behind the frontage of No 38 and set back in the street. The staggering of the pairs would serve to limit views where a 'terracing effect' might be perceived. In particular when approaching from the west there would be very limited views of the extensions. Approaching from the east there would be some views of the additions. However, due to the setback, design and material finish the extensions would not appear prominent or intrusive within the street scene.
11. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the area. It would not conflict with LP policies HQ/1 and H/13 which amongst other things require all new development to be of a high quality design, appropriate in scale and compatible with its location and context.

Living conditions of existing occupiers

12. The Council is clear that it does not consider that the single storey elements of the scheme would have a harmful effect on No 38. Its concern is about the relationship of the two storey element to this dwelling.
13. The plans show that, due to the staggered positions of the dwellings, the two storey extension would project beyond the rear wall of No 38. This projection would be along the common boundary and some of it would be visible above the boundary treatment. In addition, the roof would slope away from the shared boundary thereby lessening the impact of the built form. Therefore, overall, whilst some of the new extension would be visible above common boundary treatments it would not be a significant amount or in my view over a great depth. As such there would not be harm to outlook.
14. The Council's policy does not offer any method to assess the impact of the scheme on daylight and sunlight. The officer report submits that the effect of the extension would be to overshadow the first floor rooms and rear garden area of No 38. The appellant has applied a 45 degree test to this relationship. This demonstrates that the addition would not be excessive in depth and would not breach the test when applied to the neighbours nearest bedroom window. Moreover, the addition would be located to the north and east of No 38. Therefore, overall, due to its design and orientation, it would not lead to loss of light and overshadowing to No 38.

15. I therefore conclude that the proposal would not harm the living conditions of adjoining occupiers at number 38. As such it would not be in conflict with Part 'n' of LP policy HQ/1 which seeks to protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight.

Conclusion and Conditions

16. Neither the Council's policies nor the Framework establish that floorspace should be the only consideration when assessing extensions to dwellings in the Green Belt. Overall, I do not consider that the extensions would increase the overall prominence of the dwelling given their close integration with the existing dwelling and that the material finishes would be closely matched.
17. I conclude that the proposal would not be inappropriate development in the Green Belt and would not conflict with LP policies NH/8 and H/13 in this regard. It would not have a harmful effect on the character and appearance of the area. In this regard it would not conflict with LP policies HQ/1 and H/13, which seek a high standard of design in all new development that relates to the character and context of the area in which it is proposed. Furthermore, it would not have an adverse effect on the living conditions of existing occupiers at No 38.
18. The Council have suggested four conditions set out on the questionnaire. I have considered these in the light of the relevant tests set out in the Framework and Planning Practice Guidance. I have imposed conditions relating to the commencement of development and the details of the approved plan for the avoidance of doubt. In the interest of the character and appearance of the area a condition is necessary requiring the materials of the extension to match the main dwelling. The Council suggest a condition that would require an arboricultural method statement and tree protection. I have information regarding an area Tree Preservation Order (TPO) in the location of the appeal site. The plan shows an area to the north and west of the dwellings on Newton Road. Nonetheless, there is no evidence that one of Elms referred to in that TPO would be affected by the scheme. There are no other trees within the position of the proposed extensions, referred to in the Council's report or shown on the plan to be affected by the scheme. As such, I have no detailed information demonstrating why this requirement would be necessary on the appeal site. As such I have not included this condition.
19. For the reasons given and having regard to all other matters raised the appeal is allowed.

D J Board
INSPECTOR

Annex A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location, Block and Floor Plans and Elevations ref SF18 053.1.
- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

END