
Appeal Decision

Site visit made on 9 September 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/Q0505/D/20/3250898
73 Darwin Drive, Cambridge CB4 3HQ

- 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 Abu Uddin against the decision of Cambridge City Council.
 - The application Ref 18/1060/FUL, dated 28 June 2018, was refused by notice dated 1 April 2020.
 - The development proposed is described as a double storey rear extension and single storey front extension.
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Decision

1. The appeal is dismissed insofar as it relates to the double storey rear extension. The appeal is allowed insofar as it relates to the single storey front extension and planning permission is granted for a single storey front extension at 73 Darwin Drive, Cambridge CB4 3HQ in accordance with the terms of the application, Ref 18/1060/FUL, dated 28 June 2018, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Development shall be carried out in accordance with approved plans reference UDD.JUN.18C and UDD.JUN.18D so far as they relate to the single storey front extension only.
 - 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 Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of existing neighbouring occupiers.

Reasons

Character and Appearance

3. The appeal site is one of a pair of semi detached two storey dwellings set back from and facing the road. There is an even rhythm to the street scene which consists of other similar designed and sited two storey terraced and semi

detached dwellings lining the north and south sides of Darwin Drive. Where front gardens have been opened up, parking is off the road. Whilst sharing siting and scale commonalities, many of the dwellings have been altered, some substantially. With some exceptions, the majority of changes appear to be to the rear, over single and two storeys, and in the roof space with a number of single storey, hipped roof front projections, spanning the width of the frontage.

4. It is in this context that I do not object to the size, design and projection of the front extension. It would be distinct and capable of being erected independent of the two storey element. It would be simple, subservient, match the proportions and design of the existing building and follow the approach used in other parts of the street and thus not harm the character and appearance of the area. It would therefore comply with Policies 55 and 58 of the Local Plan¹. Amongst other things, and along with the Framework², these policies seek to ensure that new development is of a high quality and contextually appropriate design and appearance, responds to its context and reflects the existing building form.
5. Despite being two storeys, the rear element would not be overly bulky in itself and would effectively fill a gap between the side and rear projection of the existing building. However, the use of a flat roof would be wholly inappropriate in terms of the design and roof scape of the dwelling to which it would be attached. It would appear awkward and discordant. It would project further sideward than the existing building which would expose the flat roof to the street scene, exacerbating its negative impact. It would therefore harm the character and appearance of the area, consequently conflicting with the aims of the policies I have cited above.

Living Conditions

6. The crux of the Council's concerns in regard to this main issue relate to the proposed two storey element in that it would result in a loss of light to occupiers of No 71 and give rise to a sense of enclosure.
7. The pair of semi detached dwellings making up Nos 73 and 75 are set forwards of the run that No 71 is part of. This means that the sideways projection of the two storey extension would bring it in close proximity to the side elevation of No 71. The evidence suggests that there is a kitchen window in this elevation which I would agree would suffer from a subsequent loss of light as well as users of the room experiencing something of a looming presence of the new two storey wall so close to the shared boundary. It also strikes me that the closeness of the new extension to the shared boundary would lead to an adverse affect on users of outdoor space immediately to the side and rear of No 71. They are already affected by substantial additions to the rear of No 71 and the addition of another two storey element in the location proposed would lead to an enclosing an oppressive feeling for occupiers using the spaces between them.
8. With this in mind, the two storey element of the proposed development would have an adverse effect on the living conditions of existing neighbouring occupiers. Such that it would conflict with Policy 58 of the Local Plan which sets out, along with paragraph 127 of the Framework, that new development

¹ Cambridge Local Plan 2018

² The National Planning Policy Framework 2019

(alterations to existing buildings specifically) does not unacceptably overlook, overshadow or visually dominate neighbouring properties.

Conditions

9. Having regard to the use of correct wording to ensure they relate to that part of the development hereby permitted, I have imposed the following conditions. For clarity I have set out a timescale for commencement as well as specifying the approved plans. In order to ensure a suitable external appearance, I have also required the materials to be used to match the existing dwelling.

Conclusion

10. For the reasons I have set out above, the single storey front extension is allowed, and a planning permission granted therefore, subject to conditions I have specified. The two storey rear extension, again for the reasons I have set out, is dismissed.

John Morrison

INSPECTOR