



Appeal Decision

Site visit made on 28 September 2020

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2020

Appeal Ref: APP/W0530/W/20/3255174

85 Histon Road, Cottenham CB24 8UQ

- 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 Clark against the decision of South Cambridgeshire District Council.
 - The application Ref: S/3697/19/FL, dated 14 October 2019, was refused by notice dated 17 April 2020.
 - The development proposed is a replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Cambridge Green Belt and accordingly the main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area; and
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposed development.

Reasons

Whether the proposed development would be inappropriate development in the Green Belt

3. Policy S/4 of the South Cambridgeshire Local Plan (2018)(LP) sets out that new development within the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework (the Framework). Paragraph 145 of the Framework makes it clear that the construction of new buildings within the Green Belt will be regarded as inappropriate save for certain categories of development which may be regarded as not inappropriate.
4. One such exemption at paragraph 145(d) provides for the replacement of a building providing the new building is in the same use and not materially larger

- than the one it replaces. The Framework does not define a specific threshold to assess whether a proposal is materially larger.
5. The appeal site consists of a detached bungalow with low eaves and ridge height together with a number of single storey outbuildings set within a spacious plot. The presence of dense vegetation results in the appeal site being largely enclosed, however, some partial views are available through and over vegetation from neighbouring garden curtilages. It is also partially visible from the highway, albeit within a short section of the road, particularly at the point of the entrance driveway. Views of the appeal site are enhanced when the entrance gateway is open.
 6. The proposed development would replace the existing dwelling and two outbuildings. The replacement would consist of a two-storey dwelling with large roof structure together with a detached single storey three bay garage. It is shown as having four bedrooms.
 7. Taking the appellant's measurements, which have been disputed by the Council, it would increase the floor area from approximately 403.34 to 414.96 square metres. The Council's assessment suggests a floor area in the region of 359.76 square metres together with a volume of some 2178.72 cubic metres. This would equate to an increase in floor area of some 66% and an increase of volume of 216% from the existing bungalow.
 8. Despite the differences in assessment, even if I were minded to accept the outbuildings as being in the 'same use' as the building to be replaced, the proposal would, on the basis of the appellant's figures, nevertheless include a larger floor area than the existing buildings to be replaced. This would represent a modest increase. The appellant has not provided any calculation of the volume of the existing and proposed dwelling which would assist in providing a comparison between the existing and proposed sizes of these dwellings. The Framework does not provide guidance as to what constitutes 'materially larger'. It is therefore a matter of planning judgment.
 9. It is clear that the floor area and height would increase. There is little substantive evidence before me to corroborate that there would not be a corresponding increase in volume. A separate garage building is also proposed. The bulk and massing which would incorporate an increased ridge height, the introduction of gable projections to the front and rear of the proposed dwelling and a number of dormer windows within the roof space would result in a materially larger structure than those it would replace.
 10. Consequently, I conclude that the exception set out in paragraph 145(d) of the Framework has not been met. The proposal would therefore conflict with LP Policies S/4 and H/14 insofar as these policies require a replacement dwelling not to be materially larger than the one it replaces. The proposal would amount to inappropriate development. The Framework states that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

11. The Government attaches great importance to Green Belts, noting that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their

openness and their permanence. The Framework establishes that substantial weight should be given to any harm to the Green Belt.

12. The proposed dwelling would be more centrally located within the appeal site, set back from the footprint of the existing dwelling and located partly upon the footprint of the large outbuilding. Nonetheless, it would remain visible from public vantage points. Given the increased height, the visual impact of the proposal would be to a greater extent than the existing built form.
13. Openness has both a visual and spatial dimension. For the reason given above, the proposal would be materially larger than the buildings it replaces, taking into account its increased floor area, height, mass and bulk together with likely additional volume. Accordingly, I find that the erosion of three-dimensional space would result in a significant effect on openness such that it causes harm to the Green Belt and conflicts with the purposes for including land within it.

Character and appearance

14. Dwellings are typically loosely arranged along this part of Histon Road. They vary in type and appearance. Notwithstanding this, they are generally modestly proportioned with windows that are similarly balanced. The existing bungalow shares these characteristics. Outbuildings within the appeal site retain an agricultural appearance that is consistent with and contributes towards the semi-rural character of the area. The outbuildings are visually associated with agricultural land that surrounds the site. They are typical of functional agricultural buildings that are commonly observed within the countryside. Overall, the appeal site makes a positive contribution to the semi-rural appearance of the area.
15. The proposed dwelling would not appear significantly taller than other buildings within its immediate surroundings. However, it would be larger than the one it would replace and neighbouring dwellings, particularly Nos 87 and 89 Histon Road. It would occupy a part of the appeal site that is more closely related to the countryside. The proposal would include substantial elements of full height glazing not typical of agricultural buildings. As such, it would give the development an overtly domestic appearance. It would be aggravated by a substantial roof structure with projecting gable elements and the inclusion of a number of roof dormer windows. The overall scheme would have a distinctly suburban appearance that would be markedly different to, and out of keeping with the rural character of this part of the appeal site and the wider area.
16. Whilst the proposal would utilise materials that are commonplace within the locality, it would nonetheless appear as a strident and incongruous addition. It would have a significant urbanising effect and would be viewed as an encroachment and an unacceptable intrusion into the wider countryside when viewed from neighbouring dwellings, their gardens, the access track and the wider countryside. By reason of the height, form, mass, scale and design, the proposal would not be mitigated to any significant extent by existing vegetation. It would be clearly visible above the existing vegetation and through the existing access point. Visibility would be greater during winter months when foliage is less dense. Consequently, the proposed scheme would have a significantly greater visual impact than the existing built form.
17. I therefore find that the proposal would unacceptably harm the character and appearance of the surrounding area and countryside. It would conflict with

LP Policies S/7 and HQ/1 insofar as these policies require high quality design that makes a positive contribution to the character of the local urban and rural area and respond to its context in the wider landscape.

Other Considerations

18. The appeal site is large and would adequately accommodate the size of the proposed dwelling. There would be no unacceptable impacts on the living conditions of neighbouring occupiers. It does not sit within a conservation area and the existing buildings are not recognised as heritage assets. The proposal would retain and make use of existing infrastructure. However, the absence of harm is a neutral matter that weighs neither for nor against the proposal.
19. The appellant suggests that the proposal would be capable of adapting to the future needs and changing lifestyles of future occupiers. There is little detail before me regarding this and therefore I attribute only minimal benefit to it.

Conclusion

20. The proposed development would be inappropriate development in the Green Belt which would by definition be harmful. I have also found harm to the openness of the Green Belt and the character and appearance of the surrounding area and countryside. I attach substantial weight to this harm.
21. I find that the other considerations in this case do not clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. There are no material considerations of sufficient weight or importance that determine that a decision should be taken otherwise than in accordance with the development plan and the Framework.
22. For the above reasons, having regard to all other matters raised, I conclude that the appeal is dismissed.

E Brownless

INSPECTOR