
Appeal Decision

Site visit made on 7 December 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/W0530/D/20/3257473

71 Park Lane, Histon CB24 9JJ

- 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 and Mrs Lee and Carly Meadows against the decision of South Cambridgeshire District Council.
 - The application Ref 20/02075/HFUL, dated 15 April 2020, was refused by notice dated 5 August 2020.
 - The development proposed is two storey rear extension, front porch extension, external rendering and re-roofing.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellants' submissions include several drawings that are not listed on the Council's decision notice. They also refer to an alternative proposal having been put before the Council. The Council has confirmed that it informally considered amended drawings during the course of the application but that they were not the subject of publicity. I have noted those drawings. However, I have based my decision on the drawings which are listed on the Council's decision notice, consistent with the Council's decision, as to do otherwise could prejudice the interests of those who may have wished to comment on any amendments.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupants of 69 Park Lane with regard to outlook.

Reasons

4. The appeal property is a detached house which is part of a row of other detached houses on Park Lane. Both the appeal building and the neighbouring house at 69 Park Lane (No 69) are positioned close to the boundary which separates the two sites.
5. The proposed extension would project over 4.7m from the rear elevation of the existing property, at a height of 2 storeys. The rear elevation of the appeal property sits only slightly further forward than that of the neighbouring house at No 69. Therefore, the proposed extension would extend for some significant

- depth beyond the rear of No 69, very close to the common boundary and to the patio area immediately to the rear of No 69.
6. The extension may not breach a 45 degree line from No 69's rear windows. However, due to its significant depth, together with its height and proximity to the boundary, the two storey side wall of the rear extension would have a substantial bulk and massing when viewed from the patio area to the rear of No 69. The rear extension would therefore appear as an unduly dominant feature that would have an overbearing and oppressive presence and create an unsatisfactory feeling of enclosure to the patio area to the rear of No 69.
 7. That neighbouring patio area is paved, with a timber pergola and outdoor seating present at the time of my visit. It is located immediately to the rear of the house itself and accessed via patio doors from No 69's rear habitable room. As such, whilst No 69 has a relatively large rear garden, that patio is likely to be a frequently used area within it, where its occupants are likely to spend extended periods of time whilst outdoors. The proposed rear extension would have a significant adverse effect on the outlook from that patio area and thus on neighbouring occupants' enjoyment of that space and their rear garden.
 8. As the rear extension would be located roughly to the west/north west of No 69, I consider that it would be unlikely to have significant implications for the light levels within No 69 or on the adjacent patio overall.
 9. However, I conclude that the extension would have a significant adverse effect on the living conditions of the occupants of 69 Park Lane with regard to outlook. It would thus conflict with Policy HQ/1 of the South Cambridgeshire Local Plan, which states that development proposals must protect the amenity of occupiers and surrounding uses from development that is overbearing.

Other Matters

10. The extension would provide additional living accommodation as part of a wider scheme which, I am advised, is aimed at renovating and modernising the appeal property. However, any benefits in those regards would not outweigh the significant harm to living conditions that would arise as a result of the two storey rear extension which is proposed as part of that scheme. I have been referred to the implications of reducing the size of the rear extension. However, such matters do not alter my conclusions above, which are based on the specific proposal before me.
11. I have been referred to other 2 storey rear extensions permitted by the Council. However, from the limited information before me I cannot be certain of the circumstances in which those extensions were permitted or that they were directly comparable in all respects to the particular proposal before me. In any event, I have considered this appeal on its own planning merits.
12. Matters relating to the Council's consideration of the application do not affect my conclusions above, which are based on the planning merits of the proposal.

Conclusion

13. For the reasons given, I conclude that the appeal should be dismissed.

Jillian Rann

INSPECTOR