



Appeal Decision

Site visit made on 24 November 2020

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/W0530/W/20/3253933

Anstey Hall, 32 Ickleton Road, Duxford CB22 4RT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Edward Shelton against South Cambridgeshire District Council.
 - The application Ref 20/02052/FUL, is dated 11 April 2020.
 - The development proposed was described as *'The development proposes the extension of an existing single storey bungalow to form a two-storey detached dwelling-house set in approximately the same location as the existing bungalow. The proposed extended dwelling-house has a floor area of 400 sq-m. The proposed design offers a significant level of high quality of accommodation to meet the modern social and domestic needs of a large family throughout the various stages of life development. As such it is comparable to some of the other large family homes in the local vicinity. This extended dwelling-house is intended to encompass the latest energy efficient design and construction principles: A technologically advanced building that brings together energy efficient Passiv Haus construction principles and solar energy generation, hidden behind a beautifully understated façade. The proposed design is a balanced mix of contemporary architecture with traditional design cues, in order to achieve a harmonious accord with the mix of traditional and modern houses in the surrounding area'*.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The appeal stems from the Council's failure to determine the application for planning permission within the prescribed period. This, it seems, is principally because there was, and indeed remains, a dispute between the main parties as to whether the proposal amounts to the extension of the existing dwelling at No. 32 or the construction of a new dwelling. The appellant states the former, the Council the latter, and the failure to determine within the prescribed period that followed was due to this disagreement.
3. On the evidence before me I have some sympathy with the Council's position. The appellant's Design and Access Statement (D&AS) oscillates between referring to the proposed works as the enlargement of the existing dwelling¹ and as a proposed replacement dwelling / proposed new dwelling². Although the appellant's approach is more consistent by the time of the appeal

¹ Design and Access Statement paragraphs 1.1, 2.5, heading to section 5.1 and paragraph 5.2

² Design and Access Statement paragraphs 2.6, 5.3, 5.5, 5.16, 5.17, 5.19, 5.23, 5.24, 5.34, 5.35 and 6.3

- submission, which does at least consistently refer to it as being an extension to the existing dwelling, the plans and D&AS add a further layout opacity.
4. Interpretation is not particularly assisted in this respect by the submitted plans. These rely on text within the D&AS to confirm key dimensions rather than reliance on the submitted drawings being drawn accurately to scale. Nor does overlaying the existing ground floor plan with the proposed ground floor plan provide definitive clarity although a comparison of the two does at least give a degree of broad (if not entirely convincing) correlation between the two. Thus, the existing front porch, front wall (to existing kitchen) and flank wall with slight step from kitchen to bathroom can be seen in the proposed floor plan layout. Added to this, the appellant's confirmation that the proposed ground floor footprint would be no wider than the existing ground floor³ adds sufficient clarity and that 1000 square foot of existing floorspace would be incorporated within the proposed ground floor.
 5. The appellant notes that there is not size limitation that would exclude a proposal from being an extension but, it seems to me that, given the iterative alteration of the existing building from uncertain origins and the scale and extent of the resulting building proposed in this instance, the proposal is tantamount to the construction of a new dwelling rather than the extension of the existing. In reaching this conclusion, I am also mindful of the absence of structural surveys or reports, or indeed clear and convincing indication the submitted plans, to demonstrate exactly which elements of the existing building would be retained within the proposed structure so as to render it an extension rather than new building.
 6. Having regard to the above, and even if I were to conclude that the proposal was capable of being considered as an extension to the existing building rather than a new-build dwelling, it remains the case that the main issues are:
 - The effects of the proposed development on the character and appearance of the surrounding area; and
 - Whether or not the proposed development would make appropriate car parking provision.

Reasons

Character and appearance

7. The appeal property is a modest bungalow set within an established residential street frontage where a mix of houses and bungalows of varying scale and architectural style are present. Nor is there a particularly consistent building line along the street, with the depth of plot frontage and the siting of properties varying substantially from the set-back bungalows at Nos. 20 to 26 to the prominent two storey houses at Nos. 28 and 32. The appeal site, and its neighbouring bungalow at No. 34, lies somewhere between the two extremes.
8. At present, the existing bungalow is set above, and back from, the roadside behind a gravelled forecourt used for the parking of vehicles. There is no boundary treatment at the front of the property, but the distinct line of a narrow grass verge is evident between road and boundary treatments of properties on either side of the appeal site. A driveway to one side of the

³ Design and Access Statement – paragraph 5.9 4th bullet point

bungalow provides vehicle access to the side and rear, with a narrow path providing access on the other side.

9. The proposal would subsume the form and plan of the existing bungalow with additional built elements to the front and rear, and above, to the extent that the resulting building would be tantamount to a new dwelling. The replacement of the existing bungalow with a two storey dwelling is not, in itself, objectionable. I note, particularly, the Council's approval of a two-storey scheme and a successful appeal scheme (APPEAL REFERENCE) as confirmation of this. The principle of a two-storey building is not therefore one that I find to be intrinsically harmful to the mixed architectural style and scale of buildings along Ickleton Road.
10. However, the combination of the forward projection of the dining room at ground floor, and full-width first floor with the recessed porch and further recessed return to the side of the porch, not to mention the additional height of first floor, would substantially increase the building's presence within the streetscene. Approached from the south along Ickleton Road, the appeal property stands atop a slight crest in the road, and also in a slightly elevated position above road level. The forward shift of the dwelling's bulk and mass would be incongruous from this aspect, indeed jarringly so, when set against the more consistent building line of properties to the south of the appeal site and the modest, restrained form and scale of No. 32.
11. Although this would be tempered somewhat in views from the north where the pair of houses at Nos 28 and 30 stand tall and proud in a forward position close to the grass verge, the proposal would nevertheless result in an incongruous, cumbersome and unwelcome intrusion into the streetscene when viewed from the south. The strident nature and appearance of the dwelling resulting in its prominent positioning within the site would also be further and harmfully compounded by the heavily recessed porch and return under the over-flying first floor. Whilst I accept that there is no defining architectural style present along Ickleton Road, the design approach adopted at this prominent corner would be awkward and render the dwelling cumbersome and intrusive within the mixed, but relatively traditional, prevailing style of the Ickleton Road streetscene.
12. Both parties refer to an extant permission for a two storey dwelling at the appeal site establishing the principle of a dwelling of that scale and I have no further evidence before me to enable me to reach a different conclusion on this matter. However, that being so, the appeal proposal before me would fail to respond positively to, or make a positive contribution towards, the local context. Nor would it, for the reasons I have set out, be compatible with the character or appearance of the local area, with particular reference to the cumbersome and incongruous recessed ground floor front corner and over-flying first floor. The proposal is therefore contrary to the aims and provisions of policy HQ/1 of the South Cambridgeshire Local Plan (SCLP) and, in failing to take appropriate opportunity to improve the character and quality of the area, would also fall to satisfy the National Planning Policy Framework's (the Framework) approach to encouraging good design and resisting poor design.
13. I have noted the appellant's intention that the resulting dwelling should incorporate a range of energy efficiency measures, including a solar PV system installed on the roof of the dwelling. Whether or not these would be sufficient

to ensure PassivHaus standards is not clear on the available evidence, nor is it clear from the submitted and, in places contradictory, plans exactly how it is proposed to accommodate the aforementioned solar PV system. This is not therefore a material consideration to which I am able to give more than moderate weight to.

Parking

14. The property currently has an open frontage across the entire plot width which was, at the time of my visit to the site, used for the parking of four large vehicles. A lengthy driveway also runs to the side of the property which currently provides vehicular access to the rear of the house and, conceivably, additional parking provision.
15. The submitted plans and content of the D&AS statement indicate that although the ground floor dining room would be pulled forward of the existing porch's position, with the first floor over-flying the porch, sufficient space would be retained under the over-flying first floor to park two vehicles at the front of the property. This would not be materially different to at least part of the existing parking provision at the front of the appeal property.
16. Although I have some sympathy with the Council's misgivings regarding inconsistencies in the submitted plans and reliance on additional text outwith the scope of the drawn plans, the space at the front of the property partially underneath the over-flying first floor would provide parking for two vehicles. In addition to this, the driveway would provide further additional capacity for parking, manoeuvring and the provision of vehicular access towards the rear of the property. I am not persuaded that the proposal would impinge upon this area to the extent that the capacity and access that it offers would be unacceptably compromised. Although the submitted ground floor layout plan and site plan show conflicting information, I am satisfied that with an appropriately worded planning condition the proposal could provide sufficient car parking capacity for occupiers commensurate with the scale of the resulting building and there would be no conflict with SCLP policies HQ/1 or TI/3.

Conclusion

17. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR