
Appeal Decision

Site visit made on 20 April 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 14 May 2021

Appeal Ref: APP/W0530/D/20/3260153

Evergreens Annexe, Newmarket Road, Stow-cum-Quy CM25 9AQ

- 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 Lee against the decision of South Cambridgeshire District Council.
 - The application Ref: 20/02088/HFUL, dated 16 April 2020, was refused by notice dated 17 September 2020.
 - The development proposed is described as a proposed extension and associated works at The Flat, Newmarket Road, Stow-cum-Quy, Cambridge.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal represents an inappropriate development within the Green Belt;
 - the effect of the development upon the openness of the Green Belt;
 - The effect of the development upon the character and appearance of the surrounding area; 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

Whether inappropriate development

3. The appeal site is in the Green Belt. Policy H/13 of the South Cambridgeshire Local Plan (2018) (the Local Plan) states that the extension of dwellings in the Green Belt should not result in a disproportionate addition to the dwelling. Policy S/4 of the Local Plan states that new development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework (the Framework).
4. The Framework regards the erection of new buildings within the Green Belt as generally being inappropriate. There are some exceptions to this, which are

listed in paragraph 145 of the Framework. This list includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. Whilst I understand that the existing building was originally constructed as an annexe, the evidence before me is indicative that its lawful use is currently a single residential dwelling. In result, I consider that, for the purposes of this appeal, the existing dwelling constitutes the original building.
6. The proposed development would have a notable height and would extend the building towards the rear boundary of the site. In consequence the development would result in an increase in the footprint of the building of approximately 128% and an increase in the floorspace of approximately 90% as set out in the Planning Officer's report.
7. This means that the proposed development would result in an elongated and more bulky building that contrasts with the prevailing form of the existing building, which can be characterised as being a small-scale structure with an appearance akin to a subordinate outbuilding.
8. It has been suggested that an extension could be constructed at the property utilising permitted development rights. Whilst this might be the case, such an extension would not have the same form as the development before me. Therefore, this does not overcome my previous concerns.
9. Although located on a large plot, the Framework is clear that the judgement as to whether an extension would be disproportionate is based upon the comparison between the proposed and existing buildings, rather than the proportion of the appeal site that would be developed. In consequence, the size of the appeal site does not have a significant bearing on whether a proposed development is inappropriate.
10. The proposed extension would not represent a separate dwelling. Whilst this is a matter of note, it does not outweigh my previous observations.
11. I therefore conclude that the proposal would represent an inappropriate development within the Green Belt. The development therefore conflicts with Local Plan Policies H/13 and S/4 and the Framework.

Effect on the openness of the Green Belt

12. The proposed development would extend the building towards the rear boundary. Whilst there would be a reduction in the height of the building, the overall size would increase. The boundaries of the site are marked by a combination of fences and hedges.
13. The increase in built form would, by reason of its proportions, erode the spatial sense of openness that is an intrinsic feature of the Green Belt, to which significant weight should be given to in maintaining.
14. The proposed development would appear separate from the existing dwellings in Newmarket Road by reason of its positioning. This means that it would be visible from the adjoining properties. There would also be views available from Newmarket Road itself. Whilst some of these views would be diffused to some degree by landscaping, this would not fully mitigate the increase in built form.

15. In addition, any screening from plants is likely to vary depending on health and season. Therefore, the screening would potentially diminish over time. This would make the proposed development appear to be more prominent. In result, the proposed development would erode the physical sense of openness within the Green Belt.
16. Whilst the site features a number of different boundary treatments, the proposed development would be viewable above these and therefore the proposal would contribute to an adverse effect upon openness.
17. I therefore conclude that the proposed development would erode the Green Belt's sense of openness. The development, in this regard, would conflict with Policies S/4 and NH/8 of the Local Plan, and the Framework. Amongst other matters, these seek to ensure that new developments do not have an adverse effect upon the openness of the Green Belt and that applications are determined in accordance with the Framework.

Character and appearance

18. The appeal site was constructed as an annexe and is sited perpendicular to the predominantly linear form of development that is a feature of Newmarket Road. Existing buildings are set back from the highway edge by a consistent amount. The topography of the appeal site and its surrounding area is predominantly level.
19. By reason of the increase in built form, the proposed development would result in a notably larger building. Given that the prevailing character is for dwellings to be located in a broadly linear form that face Newmarket Road, the creation of a dwelling that would conflict with this character would appear particularly incongruous.
20. Given that this incongruous form of development would be readily perceptible from the surrounding properties and Newmarket Road, the proposed development would be prominent and therefore overly strident.
21. I am aware that some of the neighbouring properties feature outbuildings. However, these are much smaller than the appeal proposal and therefore are not as prominent. Therefore, these do not have the same adverse effects as the appeal proposal would have.
22. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with the requirements of Policies HQ/1 and H/13 of the Local Plan. Amongst other matters, these policies require that new developments preserve or enhance the character of the rural area and respond to its context in the wider landscape; and be in scale and character with the existing dwelling and would not materially change its impact on its surroundings.

Other considerations

23. The enlarged dwelling would result in improved living conditions for the occupiers of the building, the benefits arising from this would be relatively small given that the appeal site already forms a residential dwelling.

24. Any economic benefits arising from the construction process are likely to be small-scale, localised in impact and of a time limited duration.
25. Therefore, given the small-scale benefits that have been identified, I can only attach a limited amount of weight to them either in isolation, or cumulatively.

Planning Balance and Conclusion

26. The development plan and the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
27. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.
28. The other considerations I have identified individually and collectively carry a limited weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified, and therefore the very special circumstances necessary to justify the development do not exist.
29. In addition, the proposal would also harm the character and appearance of the area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR