



Appeal Decision

Site visit made on 24 January 2022

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2022.

Appeal Ref: APP/W0530/D/21/3279957

Chestnut, 32 London Road, Harston, CB22 7QH.

- 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 Sharendra Naidu against the decision of South Cambridgeshire District Council.
 - The application 21/00782/HFUL, dated 19 February 2021, was refused by notice dated 7 May 2021.
 - The development proposed is alterations and additions to existing house by the erection of a two storey extension to the side space, first floor extension to the rear and a garage to the front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed development would have a detrimental impact on:
 - The character and appearance of the host dwelling and its surroundings on London Road and
 - The living conditions of present and future occupants of No 30 London Road and No 4 The Chestnuts in terms of loss of privacy and proximity and No 5 the Chestnuts in terms of proximity of the proposed garage and the first floor rear extension.

Reasons

Character and Appearance

3. The appeal site sits on the south side of London Road. The character of this side of the road is generally one of larger, detached, two storey, residential properties, built in brick under slate or tile roofs and in a mix of styles which are set well back in their plots. Number 32 is one of the older properties on London Road dating from the Edwardian period and is a pleasing hipped roof, double fronted design. The house is well screened on the frontage with mature trees and landscaping. The property shares an open access drive with No 30 to the west side and the Neo Georgian properties of The Chestnuts wrap around the house on the east and south sides.
4. The proposals involve 3 main elements – the two storey, flat roofed, side extension plus basement incorporating a terraced extension over the existing outbuilding to the rear, the first floor, rear, flat roofed extension on the east side of the house and a detached, pitched roof garage to the frontage.

5. It has been put to me that the design rationale for the side extension would be to minimise the height and mass by use of a flat roof and that the side extension would have a recessed set back immediately adjacent to the main house to appear subservient. Moreover, by selecting a contemporary, glazed frontage the appellant considers the side extension would not compete with the original house and would provide a transition between the Edwardian design of No 32 and the modern simpler design of No 30 improving the appearance of the approach. However, the combined effect of the large scale, flat-roof form, and full height glazing and the fact that the main structural elements of the side extension would not be set back from the frontage would mean that the extension would not be sufficiently subservient and respectful to what is a very attractive and symmetrically designed frontage. Although the applicant has indicated that a pitched roof could be substituted, if that was felt to be more in keeping, I must determine the appeal on the basis of what is before me. There has been no revision to the plans submitted and in any event a revision to the roof alone would not mitigate the detrimental impacts of the scale and design on the character and appearance of the original house or enhance the approach from the road.
6. With respect to the first floor rear extension on the east side, again the proposal is to construct a flat roof. The result of this element of the proposal would be the creation of a high, unrelieved blank wall of brickwork viewed from the garden to No 5 the Chestnuts which would appear an incongruous addition to the pitched roof form of the original house and disproportionate to it.
7. With respect to the proposed garage this would be positioned in the front garden and would be a double garage under a pitched roof extending almost to eaves height on the main house to accommodate a loft over the garage. The result would be a very substantial building on the frontage. I have been referred to the fact that garages positioned on the frontage are not uncommon on London Road and that it would be well screened from the road by the frontage landscaping. I accept that there are examples of garages located on the frontage however, generally speaking, where these occur they are in larger plots than would be the case here. I accept the garage to No 30 is the exception to this but the effect of that garage building, positioned in a smaller plot, similar to No 32, is not a development that should be replicated on the appeal site. Moreover, in order to locate the garage as proposed, some frontage landscaping would inevitably be lost and positioning this scale of building at close quarters in front of what is a very attractive Edwardian house would be detrimental to its character and appearance. I am therefore not persuaded by the appellant's argument that the garage would somehow enhance the approach to the main house. In addition, as discussed below, its positioning in respect to No 5 the Chestnuts would also not be acceptable.
8. Together the scale and form of the three elements of the appeal proposal would have a detrimental impact on the original house, obscuring and changing its attractive appearance and traditional Edwardian proportions and pitched roof form.
9. The *National Planning Policy Framework* (the Framework) at paragraph 130 requires that developments must be sympathetic to local character to create high quality buildings and spaces amongst other things and at paragraph 134 that development that is not well designed should be refused. Policy HQ1 of the *South Cambridgeshire Local Plan* (SCLP), on design reflects the Framework in requiring high quality design that makes a positive contribution to its local context. In addition, the policy requires development to be designed to be compatible with its location in terms of scale, massing, form, design and materials amongst other

things. For the reasons above the proposed extensions to the property, taken together, would be disproportionate to the scale and form of the original building and detrimental to its character and appearance and the character of its surroundings on London Road as a result of poor design. They would therefore be in conflict with Policy HQ1 and the Framework.

Living Conditions

10. In respect of the relationship with No 30 London Road there is currently a side shared driveway between the two properties of approximately 5.6 metres from No 32 to the common boundary and no substantive overlooking from No 32. The proposed 2 storey side extension would take up just over 4.1 metres of this space and the section of extension under the proposed terrace would step out by another 1.2 metres to align with the common boundary. This arrangement would have two direct effects. First, as No 30 has side windows in its gable elevation both at ground and first floor level, the proximity of the proposed side extension would be overbearing, significantly affecting outlook and reducing light. Secondly, even though it is proposed on the plans to screen the proposed terrace by a wall and trellis to 1.8 metres along the boundary to No 30, the elevated position of the terrace at first floor level right on the property boundary would result in a perceived loss of privacy for the occupants of No 30 in their garden and to bedroom windows in the rear elevation. In addition, the proximity and height of this structure above the existing garage building would have an overbearing impact on the garden to No 30.
11. A similar adverse impact is possible with No 4 The Chestnuts where the height and positioning of the terrace area would again result in a perceived loss of privacy to nearby first floor bedroom windows in No 4. It has been put to me that the proposal is in part to rectify existing overlooking of No 32's garden area and, as proposed to be screened, the terrace would provide private space. I accept that the frontage of No 4 would be separated from the proposed terrace by the front forecourt to the property, meaning the separation distance would be greater than that in respect of No 30 but, nevertheless, the perception of overlooking from the terrace would also be unacceptable.
12. With regard to the relationship with No 5 the Chestnuts this has not been considered by the council at all. However, the proposed extensions to No 32 would adversely affect No 5 in two respects. Firstly, the positioning of the proposed garage on the frontage which as referred to above is a substantial double garage extending almost to eaves height would be immediately adjacent to a principal window on the frontage of No 5 at ground floor and a first floor window. I accept that there is some boundary landscaping but an overbearing impact of the garage on the outlook from the windows of No 5 would be inevitable as the property is set significantly further forward than No 32. Secondly, in respect of the proposed first floor rear extension on the east side of No 32 it is likely that the additional height positioned on the boundary with No 5's garden would be both overbearing and detrimental in respect of loss of light being positioned on the west side of No 5. It was not possible to view the configuration of the garden to the rear of No 5 but the additional height of the extension would be likely to impact on evening sunlight (when the sun is lower) to the area of the garden adjacent and to the rear of the house.
13. As such the proposal would have a detrimental effect on the living conditions of present and future occupiers of No 30 London Road and Nos 4 and 5 the Chestnuts contrary to the Framework at paragraph 130 which requires development to achieve a high standard of amenity for existing and future users.

It would also conflict with SCLP Policy HQ1 which seeks to protect the health and amenity of occupiers from development that is overlooking, overbearing or results in a loss of light amongst other things.

Other Matters

14. I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010. I understand the appellant's wish to achieve additional accommodation through the extension to allow home working and improve the usability of the house and in that way make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting. As such, sustainable and effective use of the dwelling would not, of itself, outweigh the harm to the character and appearance of the original dwelling and London Road as a result of the proposal nor would it outweigh the detrimental impact of the extension on the occupants of No 30 and Nos 4 and 5 The Chestnuts.

Conclusion

15. In reaching my decision I have had regard to the matters before me and for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR