



Appeal Decision

Site visit made on 15 February 2022

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 31ST March 2022

Appeal Ref: APP/W0530/W/21/3285400

86 Mill Lane, Impington, Cambs CB24 9HS

- 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 Mrs Alice Perera against the decision of South Cambridgeshire District Council.
 - The application Ref 20/04125/FUL, dated 6 October 2020, was refused by notice dated 4 May 2021.
 - The development proposed is described as “proposed conversion and single storey extension of bungalow to two single dwellings”.
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Decision

1. The appeal is dismissed.

Main issues

2. There are two main issues in the appeal:
 - whether the proposed development would provide acceptable living conditions for its future occupants, in terms of adequate private garden spaces;
 - and the effects of the development on the character and appearance of the area.

Reasons for decision

Garden sizes

3. The National Planning Policy Framework (the NPPF), at paragraph 130(f) seeks to ensure that all developments help to promote health and well-being, with a high standard of amenity for existing and future users. To this end, the South Cambridgeshire Design Guide¹ gives detailed guidance on garden sizes for new developments. In rural settings, the Guide recommends that new homes with 3 bedrooms or more should have a private garden space of at least 80 sq m. In addition, the Guide advises that gardens should be of a suitable size and shape to allow them to be used effectively by the number of people the dwelling is designed for; and that they should be placed away from public areas; and should avoid excessive fencing and overshadowing. To my mind, this guidance on amenity space is fully in line with the NPPF policy that I have identified, and carries significant weight.

¹ The South Cambridgeshire District Design Guide, adopted as a Supplementary Planning Document in March 2010

4. In the present appeal proposal, the existing single bungalow would be extended upwards and converted to form a two 2-storey semi-detached houses. One would have its garden at what is now the front of the property, and the other would have what is now the rear garden. Both of these spaces would fall well short of 80 sq m. To my mind, neither would be large enough to accommodate the normal range of uses required for family occupation, such as sitting out, children's play and outdoor drying. In part, this is evidently due to the amount of space within the site which is devoted to vehicular access and circulation, including access to the adjoining property; but this is clearly not a matter that could be overcome by means of conditions. Based on the proposals as now submitted, both of the proposed dwellings would fail to offer an adequate standard of amenity in terms of usable garden sizes.
5. In addition, the garden to the front unit would be open to view from the street, and it is difficult to see how any additional privacy could be achieved in this area without adverse consequences. Any effective screening by way of additional fencing would cause overshadowing, as well as being detrimental to the street scene; and the use of additional planting as an alternative would mean a further reduction in the already limited space available.
6. The appellant states that the new dwellings are intended to be occupied by members of her family, who would wish to use one of the first floor rooms in each unit as a study, as indicated on the submitted plans. I have no reason to doubt what has been stated on these matters. However, those occupiers' needs might well change during the course of their tenure, and in any event the properties would in time pass to new occupiers. I appreciate that space for working from home is currently very sought-after, but equally many families with children are likely to want to prioritise bedroom space, especially in an area of relatively high housing costs. Consequently, over the life of the property, it seems probable that the rooms indicated as studies would be used as bedrooms for a good deal of the time, given their size, location and obvious suitability for such use. In my view, it is more realistic in these circumstances to apply the standards applicable to 3-bedroom dwellings in this case, rather than 2-bedroom.
7. I note that it does not appear to be disputed that the applicable standard in this case is that for rural rather than urban areas. Given the appeal site's village location, close to the end of a road which leads out into the countryside, I see no reason to disagree.
8. I appreciate that the issue of garden sizes was apparently not raised by the Council in relation to a previous application on the site. But I must have regard to all the evidence before me, and for the reasons already explained, I find the Council's submissions on this issue persuasive.
9. I conclude that the proposed development would fail to offer an adequate size or quality of private amenity space for future occupants, and would therefore not promote high levels of health or well-being. In these respects the scheme would fail to provide acceptable living conditions, contrary to the relevant provisions of the NPPF and the District Design Guide.

Character and appearance

10. Mill Lane, Drake Way, and other roads nearby all have a mixture of bungalows and two-storey houses, with some being detached and others being semis. In

this location, despite the site's relatively prominent corner position, the addition of a first floor to create a 2-storey building would not be out of place. Nor would its division into two semi-detached units have any harmful visual impact as such.

11. I note the Council's concerns about the additional massing. But the upper floor elevations would be broken up by the proposed fenestration and porches, and the roofline by the suggested decorative chimney feature. On balance, the proposed alterations would have the potential to result in a more visually interesting and attractive building than the existing rather bland one.
12. In addition, the submitted plans indicate that the present high fencing on the Drake Way boundary would be partly replaced by a lower or more open treatment, creating a more active frontage to this part of the site. To my mind, this would enhance the street scene and public realm. Care would need to be taken with regard to the design and location of the proposed bin and cycle store, but this could be controlled by condition.
13. Taking all these matters into account, it seems to me that the net effect on the area's visual character and appearance would be a broadly positive one, albeit minor. In this respect therefore, I find no conflict with Policy HQ/1 of the Local Plan² or Policy HIM01 of the Neighbourhood Plan³, which both seek to secure good design.

Conclusion

14. As well as its potential benefits to the area's character and appearance, the proposed development would make effective use of the land and provide an addition to the local housing stock. It would also generate some modest benefits for the local economy. But the scheme would fail to provide acceptable living conditions for future occupiers, due to the inadequacy and unsatisfactory nature of the outdoor amenity spaces available.
15. Having regard to all the matters before me, I conclude that this harm significantly and demonstrably outweighs the development's benefits. The appeal therefore fails.

J Felgate

INSPECTOR

² The South Cambridgeshire Local Plan, adopted September 2018

³ The Histon and Impington Neighbourhood Plan 2020 - 2031