

Appeal Decision

Site visit made on 22 March 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2022

Appeal Ref. APP/W0530/D/22/3291699

36 Green End, Fen Ditton, Cambridge CB5 8SX

- 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 Oliver Lines against the decision of South Cambridgeshire District Council.
 - The application ref. 21/03808/HFUL, dated 19 August 2021, was refused by notice dated 9 November 2021.
 - The development proposed is "*Removal of existing roof and construction of a first floor and new roof, including front gables*".
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Decision

1. The appeal is allowed and planning permission is granted for "*Removal of existing roof and construction of a first floor and new roof, including front gables*" at 36 Green End, Fen Ditton, Cambridge CB5 8SX in accordance with the terms of the application ref. 21/03808/HFUL, dated 19 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered: 20-22-202; 20/22/EP; 20/22/300 REV. A; 20-22-200 REV. A; and 20-22-201 REV. A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall follow the specifications as stated on the householder application form.

Procedural matters

2. I took into account the Council's request set out within Part 1 of the Questionnaire, so that in addition to carrying out an inspection of the appeal site itself, I was also able to further assess the potential impact of the proposal by visiting both the neighbouring dwellings at 34 and 38 Green End.
 3. The description of the proposed development in the heading and decision above is taken from the application form. To avoid any confusion, I have omitted any reference to a prior approval application which was refused.
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Main issues

4. The main issues are the effects of the proposed development upon the character and appearance of the locality, including the adjacent Fen Ditton Conservation Area (CA) and upon the amenities and living conditions of the neighbouring occupiers with regard to the potential for any overbearing and overshadowing effects or loss of privacy from overlooking.

Reasons

5. No. 36 is a detached bungalow with a long rear-projecting wing. It stands on a deep plot towards the northern end of Green End beyond which is a public footpath and a public byway. The appeal property is within a row of 7 detached dwellings set back from the eastern side of Green End and to the north of the traditional roadside dwelling at no. 24. They have a pleasant but obvious suburban character and have not been included within the boundary of the CA. In contrast, the roadway and more particularly the open grazing land running to the River Cam, on the western side of Green End opposite those 7 dwellings, fall within the CA.
6. The Council's District Design Guide Supplementary Planning Document March 2010 (SPD) does not directly cover proposals which specifically seek to transform a bungalow into a 2-storey house or add an additional storey with a pair of front gables as is proposed here. The SPD guards against extensions that would transform an original building into something else. It is inevitable that this would occur here given the nature of the proposal but, noting the wider context, I see that the Council, correctly in my view, did not oppose such a transformation in principle. It is however concerned that the height, 2-gable frontage design, built form and massing of the resultant building would be unduly bulky, visually overbearing and overly prominent in the street scene and when viewed across the semi-rural landscape located opposite in the CA.
7. The SPD does say with regard to extensions that high quality design, relevant to context, is the most important factor, with an analysis of the immediate surroundings forming the foundation of any design. Apart from the appeal property, the other properties in the row of 7 contain 2 floors of accommodation with 5 of them having a prominent 2-storey front-facing gable feature of some description. A one and a half storey gable end is set behind the front and advanced single-storey gable end at no. 38. The existing bungalow at no. 36 now appears somewhat misplaced in this street scene.
8. With no material increase in footprint and noting the taller ridge of no. 34, the careful selection of complementary external materials and the attractively designed roof style, including a pair of well-proportioned 2-storey front gables set apart from each other and with one stepped back from the other, I consider that the resulting building would be a fitting addition to the street scene. The whole frontage of no. 34 is designed as one large 2-storey gable end in contrast to the other 2-storey houses. This has provided some positive variation in the street scene. I see no reason why the twin-gable approach proposed would not further enhance the visual interest of the street scene.
9. The side roofs would slope steeply up away from the side boundaries and offer sufficient visible gaps between the appeal property and adjacent buildings. The outward visual qualities of the development would be appropriate to the sense

- of place that has been created by this suburban row of properties and would cause no visual harm when viewed in the public realm.
10. It would be a stretch of the imagination to suggest that the twin-gable frontage would have such a scale or built form as to visually intrude into the CA. To all intents and purposes, the proposed development would simply consolidate the suburban row of properties on the eastern side of the road. The advanced position of no. 38 would tend to draw the eye first in views along the road. The Council has not sought to identify the significance of the CA or the positive factors contributing to the special interest of the CA. To my mind, along this section of Green End it is the positive views westwards over the open landscape and of the River Cam which are important to the character and appearance of the CA. The proposed development would have no impact upon those views and in my opinion the character, appearance, setting and significance of the adjacent CA would be preserved.
 11. I find on the first main issue that the proposed development would not harm the character and appearance of the locality, including the adjacent CA. As the proposed scheme would be of high quality design, respond positively to the local and wider context, be compatible with its location, respect the design, scale, massing, built form and height of the surrounding physical context and preserve the character and appearance of the adjacent CA, it would not conflict with the aims of Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan September 2018 (LP). There would be respect for the National Planning Policy Framework (the Framework) insofar as it seeks to achieve well-designed places and to conserve and enhance the historic environment.
 12. The Council raised no concerns about any adverse overbearing and overshadowing effects upon no. 34. Since the appeal property is situated to the north-east of and will continue to keep in line with that neighbouring property which has its principal outlooks to the front, rear and south-western side, I see no reason to disagree with that stance.
 13. No. 36 lies to the south-west of no. 38. Corresponding to the existing footprint of the appeal dwelling, the 2-storey north-eastern flank wall of the proposed development would be, for the most part, set well away from the boundary with no. 38. The front part of the development would be next to that boundary and would reach further back than the adjacent single-storey part of no. 38. Still, the degree of projection would not be such as to interfere with the outlook down the garden from the main, rear-facing kitchen window at no. 38. The 2 windows that would directly oppose that part of the extension are further away and serve a corridor rather than any habitable rooms. This spacing, orientation and layout, together with the hipped profile of the proposed roof over that part of the development, would help to avoid any significant overbearing impact on the outlook from the rear windows, patio and garden of no. 38.
 14. I have studied the shadow analysis submitted by the appellant and agree with its findings that when compared to the effects of the existing built form at no. 36, the proposal would not produce an increase in overshadowing of the rear and opposing side elevations and back garden of no. 38 on such a scale as to justify withholding planning permission.

15. The appellant is not correct when he says there would be no first-floor windows on the side elevations. However, the first-floor landing window in the north-east flank elevation would receive obscure glazing and would be well set away from the common boundary with no. 38. There would be a small first-floor window to the smallest bedroom in the south-west flank wall but this would look out directly towards the long roof of no. 34.
16. I have assessed the proposed rear and front balconies on the basis that they would be used for normal residential purposes. There would be solid walls along each side of the proposed rear first-floor balcony. This balcony would also be of limited depth and offer only marginally more extensive views to the rear than would be available from the rear master bedroom window itself. There are significant bands of vegetation along both side boundaries to the rear. These factors indicate to me that any overlooking of adjacent back gardens from the rear balcony would be quite limited in extent and not unduly harmful to neighbouring residential amenities. Regarding the larger proposed balcony at the front, I noticed that front balconies feature at some of the other properties in the row of 7 and that the front amenity areas of nos 34 and 38 already lack privacy on account of their visibility in public views from Green End. The front balcony, even without any screening to the sides, would not materially worsen the existing situation.
17. Drawing these threads together, I find on the second main issue that the proposed development would avoid any unacceptable impacts on the amenities and living conditions of the neighbouring occupiers, with regard to the potential for any overbearing and overshadowing effects or loss of privacy from overlooking. As such, there would be no conflict with the design principles within LP Policy HQ/1. Similarly, there would also be compliance with the Framework which seeks to ensure developments create places with a high standard of amenity for existing and future occupiers.
18. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have also imposed a condition requiring the use of the materials indicated on the application form to ensure that the development would safeguard the character and appearance of the area.
19. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR