



Appeal Decision

Site visit made on 18 May 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary

Decision date: 25 June 2022

Appeal Ref: APP/Q0505/D/22/3292530
135 Perse Way, Cambridge CB4 3SB

- 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 Nathaniel Peart against the decision of Cambridge City Council.
 - The application Ref 21/02800/HFUL, dated 14 June 2021, was refused by notice dated 25 January 2022.
 - The development proposed is the erection of a two storey part single storey side and rear extension and removal of detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I was unable to access the rear of the appeal property during the site visit. However, I was able to sufficiently view the site of the proposed development from the road and the neighbouring property to enable me to determine this appeal.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 137 Perse Way.

Reasons

4. The appeal property is a detached 2-storey dwelling which is proposed to be altered by the erection of a rear extension that would, in part, be sited upon the footprint of a single storey garage. The proposed development, including a 2-storey element, would be sited adjacent to the shared boundary with 137 Perse Way. This neighbouring property possesses a 2-storey rear addition with ground floor openings serving a kitchen/dining area facing towards the shared boundary. Between the addition and the boundary is a surfaced patio area forming part of a modest sized garden. There is no objection was made by the current occupiers of No. 137 to the proposed development but others may well occupy this dwelling in the future.
5. Although there is a window within the rear elevation of the addition, the siting and, in part, the 2-storey height of the proposed development would adversely affect the outlook from the side windows and patio area. The appeal scheme would be a visually dominant and overbearing form of development. The 2-

storey element of the appeal scheme would not be sufficiently off-set from the shared boundary to mitigate the adverse harm identified.

6. Although the relationship between the appeal property and No. 137 would not materially reduce levels of sunlight and daylight reaching the openings within the addition of No. 137 and its patio, this matter is demonstrably and significantly outweighed by the adverse harm associated with the impact on the outlook of the occupiers of this neighbouring property.
7. For the reasons given, it is concluded that there would be unacceptable harm caused to the living conditions of the occupiers of 137 Perse Way and, as such, there would be a conflict with Policy 58 of the Cambridge Local Plan (LP) which, amongst other matters, requires residential extensions to not unacceptably overlook, overshadow or visually dominate neighbouring properties. LP Policy 56 does not include specific criteria related to the main issue. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR