



Appeal Decision

Site visit made on 3 August 2022

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

an Inspector appointed by the Secretary of State

Decision date: 30TH August 2022

Appeal Ref: APP/W0530/D/22/3295481

Woodstock Annexe, High Road, Tadlow SG8 0EJ.

- 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 Anthony Martindale (the New Europe Society) against the decision of South Cambridgeshire District Council.
 - The application 21/05445/HFUL, dated 13 December 2021, was refused by notice dated 9 March 2022.
 - The development proposed is ground, first floor and side dormer extensions to existing annexe.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The initial description on the application form included the change of use of the annexe to residential and its extension. However during consideration of the application the description was changed to ground, first floor and side dormer extensions to existing annexe. As this is the description appearing on the decision notice and on the appeal form and the appellant has confirmed that he is not seeking any change in the way the annexe would be occupied, I have taken this description as the basis for my decision.

Main Issue

3. The main issue is therefore the effect of the proposed development on the character and appearance of the host dwelling and its countryside setting.

Reasons

4. The appeal site sits on the south side of High Road, well outside the development limits of Tadlow which lies to the west. The appeal property takes the form of a modest cottage forming an annexe to the main dwelling of Woodstock which lies on its north side. Open countryside lies immediately to the east and south of the annexe.
5. The annexe has been built as entirely self-contained accommodation with its own kitchen, bathroom, living and sleeping accommodation. The only facilities currently shared with the main house are access and parking and the garden. It was conditioned at the time planning permission was granted so that the annexe could not be occupied other than for purposes ancillary to the residential use of Woodstock as the main dwelling. The annexe is currently occupied by a member of the family owning Woodstock.

6. The proposal would see what is already a generously-sized annexe extended further and significantly by the addition of a first floor extension over the existing single storey extensions and alterations to the roof to install full length dormers on each side of the cottage. The result of the extension would be a two storeyed, three bedroomed house with three bathrooms and large living area plus kitchen, significantly more than would normally be expected in an annexe and equivalent in scale to an independent dwelling.
7. The proposal to extend the first floor and install full length dormers on both sides of the property would mean a substantial increase in the lateral spread of the roof as it would extend over what is currently a double pitched offshoot to the annexe currently accommodating a study and bathroom on the ground floor. The result would be a substantial increase in scale and mass to the extent that in inward views from the open countryside and in the approach from the east along High Road it would no longer appear as a subordinate structure to the main house. At present the annexe does not intrude to any extent in the setting of the main house but the scale of extension would adversely affect this relationship and intensify the density of development on the site which, being well outside the development limits of Tadlow, is not a location where an intensified level of development would be appropriate.
8. It has been put to me that the extension would be in matching materials to the main house, and would not be readily visible. However, from observations on my site visit the house and annexe are relatively open to the road, certainly from the East and from the open countryside to the south in which the annexe would be dominant. Moreover, it is the overall scale and mass of the proposal that would have the detrimental impact and I am not persuaded that this would be mitigated simply by the use of matching materials.
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 in these respects the proposal fails. Although Policy H/13 *South Cambridgeshire Local Plan* (SCLP) dealing with extensions to dwellings in the countryside does permit extensions it is subject to two important caveats. First that the development would not create a separate dwelling or one capable of separation and second that the extension is in scale and character with the existing dwelling and would not have a material impact on its surroundings. For the reasons above neither of these tests would be met and development of the scale proposed, creating a substantial second house on the site, would significantly intensify development to the detriment of the countryside character. In addition, SCLP Policy HQ/1 in requiring development to be compatible with its location in terms of scale, mass, siting, and proportion, amongst other things, is still consistent with the Framework and the proposal would conflict with it.
10. For the above reasons i.e. principally the positioning, scale and mass of the proposed extension, it would have an unacceptable impact on the established character and appearance of Woodstock and character of the open countryside to the south and east of Woodstock, contrary to the SCLP policies.

Other Matters

11. It has been put to me by the Council and third party objectors that the proposal would create a new independent dwelling separate from the main house. Whilst I accept that the physical effect would be to create a substantial house rather than an annexed cottage, the occupancy as ancillary to the main house would still be controlled by the original permission and its conditions and given the change in

the description of the development referred to above there is nothing to suggest that the basis of the occupancy would change. In any event, control could be reapplied by attaching a similar condition to a permission were the appeal to be allowed.

12. I understand the appellant's wish to achieve additional family accommodation in the annexe for his daughter's family 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. No specific evidence of need has been put forward to justify the scale of extension proposed and as such, sustainable and effective use of the dwelling would not outweigh the harm to the character and appearance of the Woodstock site and its open countryside setting as a result of the proposal.
13. It has been put to me that this would be sustainable development and that the presumption in favour of development should apply as there would be no adverse impacts that would significantly and demonstrably outweigh the benefits. However this is not the correct Framework test to apply. This test from the Framework at paragraph 11 applies where development plan policies are out of date and this is not the case here. Paragraph 12 of the Framework specifically states that the presumption in favour of development does not change the statutory status of the development plan and in this case the SCLP policies are very clear that development outside of development frameworks will be restricted (Policy S/7) and extensions in the countryside carefully controlled (Policy H/13).

Conclusion

14. In this policy context the proposed extensions to the annexe are excessive and their effect on the character and appearance of the Woodstock site and its surroundings unacceptable.
15. In reaching my decision I have had regard to the matters before me and, notwithstanding the fact that the annexe could still be controlled so that occupation would be ancillary to the main house, for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR