



Appeal Decision

Site visit made on 20 March 2023

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/V0510/D/22/3313437

Home Farm, Main Street, Westley Waterless, CB8 0RQ

- 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 & Mrs K Shepherd against the decision of East Cambridgeshire District Council.
- The application Ref 22/00271/FUL, dated 1 March 2022, was refused by notice dated 29 September 2022.
- The development proposed is described as Proposed two storey rear extension replacing a single storey extension and a new front porch replacing the existing porch.

Decision

1. The appeal is dismissed insofar as it relates to the two storey rear extension replacing a single storey extension.
2. The appeal is allowed insofar as it relates to the new front porch replacing existing porch; and planning permission is granted for a new front porch replacing existing porch at Home Farm, Main Street, Westley Waterless, CB8 0RQ in accordance with the terms of the application, 22/00271/FUL, dated 1 March 2022, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The proposed front porch hereby permitted shall begin not later than three [3] years from the date of this decision.
 - 2) The proposed front porch shall be constructed in accordance with approved plans:
 - 'Proposed Plans,' Job No.A726-22, Drawing Number 02 rev PL3, Dated June 2022;
 - 'Existing plans and elevations, proposed elevations,' Job No.A726-22, Drawing Number 01 rev PL3, Dated June 2022;
 - 3) The materials to be used in the external surfaces of the front porch shall match those used in the existing building.

Preliminary Matter

3. The Council in their Planning Officer Report state that the replacement front porch would be appropriate and in accordance with the Development Plan Policies. I have no reason to dispute this opinion, and given that this element is both functionally and physically severable from the rear extension, a split decision is considered a suitable outcome. Given the only matter in dispute refers to the rear extension, this will be the focus of this letter.

Main Issue

4. The main issue is the effect of the proposed rear extension upon:

- The existing building and the character and appearance of the locality; and
- The living conditions of The Laurels, with particular regard to sense of enclosure, outlook and access to light.

Reasons

Character and Appearance

5. The appeal site is known as Home Farm and appears to have once been an agricultural farmhouse which has since been utilised as a dwelling. The building is positioned alongside other buildings along the northern side of the road with visual gaps in and around the dwellings which have a rural and spacious character. The historic dwellings along Main Street appear to have also had agricultural origins, such as The Laurels/Fairview, a semi-detached pair of dwellings which have in terms of their design, a lower status and appear to have been workers cottages. To the opposite side of Home Farm is an agricultural steading consisting of single storey agricultural barns. The appeal building appears to date from the mid-late nineteenth century with the original components of the building limited to the front main component of the dwelling which contains a hipped slate roof, and large chimney stacks to either side wall. Despite later alterations such as the rear extension, the dwelling has a simple and functional form and the traditional construction of the building has an architectural authenticity and integrity that is associated to its agricultural origins. These elements, amongst others contribute to the qualities of character and local distinctiveness of the host building and the locality. To the rear the dwelling contains a modern two storey rear wing which was constructed between the main dwelling and a smaller attached single storey outbuilding, giving the host building an L-shaped footprint.
6. In undertaking extensions and alterations to existing dwellings, the East Cambridgeshire Local Plan (LP) Policy ENV1 seeks that development takes into account the surrounding context, and that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development. Additionally, LP Policy ENV2 lists a number of design criteria which seeks that development consider location, layout, form, and local distinctiveness, amongst others.
7. The proposed extension would remove the small attached historic outbuilding to the rear and create an extension equal in height to the two storey rear wing which would then create a similar massing and proportion to the main dwelling, giving a C-Shaped Floorplan. The proposed extension would appear to be almost the same size as the host dwelling, with the combined massing of the later extensions dwarfing the host building. There is an emphasis in LP policies ENV1 and ENV2 around appreciating the existing context and built form, including massing and subservience, however this proposal would not conform to these policies. The proposal would be excessive in its size, and would not be considered a subservient addition. I disagree that the proposal would form a 'logical extension' to the existing dwelling as per the appellant's Statement of Case (SoC). The proposal as a result of its visual bulk and massing would increase the status of the building and interfere with the architectural authenticity, integrity and proportions of the existing building and its historic

origins which are significant elements that contribute to this building's particular local character and distinctiveness.

8. Additionally, the bulk and massing of the proposed extension would be unlike anything in the immediate locality and would not embrace the qualities of local character and distinctiveness of this particular location. Whilst I acknowledge and appreciate discussion in the appellant's SoC regarding the appellant's needs, the reasoning for the scheme, and the history of discussions and design approaches employed, the scheme in front of me is not an appropriate addition when considered against the policies of the development plan relating to character and appearance.
9. In conclusion of this matter, the proposed extension would conflict with the architectural integrity and authenticity of the existing building, result in the loss of positive characteristics and would be clearly disproportionate and the additional visual bulk and massing would be unlike other extensions constructed within the immediate vicinity. Consequently, the proposal would be harmful to the character and appearance of the existing building, and the local distinctiveness of the locality and be contrary to LP Policies ENV1 and ENV2 as described previously.

Living Conditions

10. The Laurels is one half of a pair of semi detached dwellings which dates from the late nineteenth century, and has a single storey extension to the rear. The area to the side of The Laurels and the shared boundary with the appeal site is a driveway which leads into a turning circle and carport with the garden area for informal sitting out located after the turning circle. According to the calculations provided by the Council and appellant, the extension would mean an additional 4.5 metres in depth with an overall length of building of 15.5 metres. The wall of the proposed extension would be 4.7 metres setback from the shared boundary with The Laurels and approximately 8.8 metres from the neighbouring window of the single storey rear extension which is utilised as a kitchen.
11. I agree with the Council that the increased massing and visual bulk would be large and would change the experience of the built form to the rear windows of the Laurels. Whilst there would be a change in visual appearance, given the setback of the proposed extension from the rear of The Laurels, in this particular circumstance there appears to be enough separation between the built form to receive an adequate outlook. Whilst there is some detriment caused I don't consider the level of harm to be of a level where it would be materially detrimental to the living conditions to the neighbouring occupiers. Given that the rear garden of The Laurels is set further away from the dwelling I am also not convinced that a significant level of material detriment would occur to living conditions as a result of outlook and sense of enclosure.
12. Turning to loss of light, the appellant has included shadow diagrams which assist, but are more related to overshadowing than an assessment of light levels from existing and proposed scenarios. Even so, given from what I saw on my site visit, it was apparent that the proposed extension would increase the level of built form and consequently the level of light entering the windows of the neighbouring property, however to me I was not convinced that the loss of light would be to a level that it would cause material detriment to the adjacent occupiers at The Laurels.

13. Taking the above into account and in conclusion of this matter, I am not convinced that the proposal would cause adverse material detriment as a result of loss of light, sense of enclosure or outlook. Consequently, the proposal would be compliant with LP Policy ENV2 which seeks to protect living conditions of neighbouring occupiers.

Conclusion and Conditions

14. For the reasons given above, whilst I have agreed with the appellant with regards to the reason for refusal of living conditions, when the policies of the development plan is taken as a whole, this is not enough to outweigh the detriment caused as a result of character and appearance. As such, I conclude that the appeal should succeed in relation to the front porch, however, in relation to the rear extension, the appeal should be dismissed.
15. In respect of the front porch, it is necessary to have the standard conditions of the standard time limit for the avoidance of doubt; and the front porch to be constructed in accordance with the approved plans is also necessary as this provides certainty to the scheme which has been approved. A matching materials condition is required in order to be appropriate to the existing building and the character and appearance of the locality.

J Somers
INSPECTOR