



Appeal Decision

Site visit made on 12 September 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2023

Appeal Ref: APP/W0530/W/23/3319206

The Onion Barn, Heath Road, Gamlingay, Cambridgeshire SG19 2JD

- 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 Messrs S & A Izzard & Trye against the decision of South Cambridgeshire District Council.
 - The application Ref 22/05405/FUL, dated 13 December 2022, was refused by notice dated 8 February 2023.
 - The development proposed is a single storey lean-to extension with basement room beneath on South (rear) elevation of existing dwelling and change of use of agricultural land to residential curtilage with retention of fencing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Gamlingay Neighbourhood Plan (GNP) was made in November 2022, and I have been provided with a copy of the made version. Although not referred to in the Council's reasons for refusal the GNP has been included in their statement of case and the appellants have been provided with an opportunity to comment on the relevant policies. I have therefore afforded full weight to the GNP in my decision.

Main Issue

3. The main issue is the effect of the proposed extension and the change of use on the character and appearance of the existing property and the surrounding area.

Reasons

4. The appeal site lies outside of the built-up area of Gamlingay and outside any of the development frameworks as shown on the Policies Map within the South Cambridgeshire Local Plan, 2018 (LP). The site, therefore, falls within an area that, in planning terms, should be considered as countryside.
5. The appeal site comprises the donor property, which is a converted agricultural building and its garden. Around the appeal site is sporadic housing and farms scattered amongst agricultural fields. The area has an open and rural character with clear views of agricultural fields, farms, and agricultural buildings, including two new buildings visible from the appeal site. The scrap yard near the site, which is visible on aerial photography, was not visible from the road at the time of my visit and does not harm the character of the area. Moreover, that there are other houses in the area, including new dwellings and replacement dwellings, does not substantially alter the rural character.

6. The existing building, albeit occupied as a dwelling, has retained the appearance of an agricultural building through the previous high quality conversion scheme, which sustained and enhanced the quality of the built environment. The dwelling does not have an overly domestic appearance despite the features referred to by the appellants. Moreover, the existing building currently contributes positively to the rural character of the area.
7. The appeal proposal is to erect an extension to the rear of the existing building which would be single storey above ground but also include a basement below.
8. The proposed extension would be set in from both gable ends of the existing property and proposes materials to closely match the existing dwelling. However, although the appellants contend, at appendix 7, that the proposed extension would be the same width as the existing building, the width of the extension, as shown on the submitted plans would be slightly wider than the existing. Based on the submitted plans the proposal would also extend beyond the previously approved curtilage, notwithstanding the appellants' assertion.
9. Although the height of the extension would be subservient as it would be below the eaves of the existing building, the extension would not only be physically wider, but the width of the extension would also be perceptibly wider than the original building. This would result in an extension which would not be modest and, due to its massing, would be out of scale and character with the existing building.
10. The scale and design of the proposed extension is materially different to the image submitted by the appellants, in appendix 7, in which the lean-to extension is substantially lower in height and with a narrower footprint than the building to which it is attached. The host building, in the appeal before me, albeit now a dwelling, was a small agricultural building and the proposed extension would not result in the same subservient addition to the original building as the image in appendix 7.
11. The proposed extension would be highly visible from Heath Road, albeit only from a short distance away. However, it would be highly visible from the public right of way adjacent to the site and these views would include longer distance views of the extension. The hedge planted by the appellants would partially screen the extension, but it would still be visible above the hedge and a large section of the existing fence and hedging would need to be removed to create the proposed parking spaces. The extension would, therefore, be harmful to existing views of the building from the road and the public right of way and would change the impact of the building on its surroundings.
12. Whilst not within Green Belt, or a formally protected landscape, the appeal site lies within an area that locally valued countryside as defined in the Gamlingay Village Design Guide Supplementary Planning Document, 2020. The area is described as an important landscape element which was previously heathland and now predominately arable.
13. The site is also within the Western Greensand area in the South Cambridgeshire District Council Local Development Framework District Design Guide: High Quality and Sustainable Development in the South Cambridgeshire Supplementary Planning Document (the District Design Guide). The proposal would not respect the locally valued landscape.

14. That other houses in the area have been rebuilt as larger dwellings, or extended to create larger dwellings, does not justify the appeal before me. I do not have the full background of any of the properties noted by the appellants in their appendices. However, from the evidence before me, none of the properties referred to appear to be converted agricultural buildings and therefore did not have to consider the sensitivities of retaining the agricultural character and appearance of the existing building.
15. Policy S/7 does not preclude extensions to existing dwellings in the countryside, provided these are supported by other policies within the LP. Extensions to existing dwellings are dealt with under LP Policy H/13. As such Policy S/7 is relevant to the appeal decision.
16. Policy H/13 of the LP supports extensions to dwellings in the countryside, subject to five criteria. For the reasons given above I find that the proposed extension would not be in scale and character with the existing dwelling and would materially change its impact on its surroundings. Moreover, the extension would not respect or retain the character of the local landscape and would result in harm to the local rural character. Therefore, the proposed extension would not comply with the second criteria of Policy H/13. That the policy does not specifically require the extension to be smaller or not disproportionate, as would be required for extensions within the Green Belt, does not alter the policy requirement that any extensions need to be in scale and character, and not materially change the impact on the surroundings.
17. Paragraph 7.37 of the District Design Guide advises that extensions, by definition, should be ancillary or subservient to the original building. Paragraph 7.39 goes on to advise that the scale of an extension should emphasise subservience, including recommending a significantly smaller footprint to achieve this. The District Design Guide also acknowledges that small buildings may not be able to accommodate an extension without becoming unbalanced or dominated by the extension. Although not referred to in the reasons for refusal the District Design Guide is a material consideration in the determination of the appeal.
18. At the time of my visit an area of land had already been fenced off as garden. However, from the evidence before me this is not the curtilage which was approved through the prior approval process to convert the building. The existing area of land, which has been enclosed in close boarded fencing, has introduced an alien boundary treatment which is highly visible along Heath Road and there is no space shown on the submitted plans for planting to soften this boundary.
19. The appeal before me includes the existing garden, land around the proposed extension, and an area for parking to the side of the property. The area proposed for the change of use has been reduced from the originally submitted area. However, it would still extend into the countryside. The shape and scale of the proposed area, as amended, has been driven by the position and scale of the proposed extension, the existing fenced off garden area and the need to provide parking.
20. The provision of two parking spaces would be beneficial to the future occupants of the property and the proposed location, as shown on the amended plan, would be immediately adjacent to the host building. This area could continue to be enclosed in low post and rail fencing with a hedge planted on the inside. In

my judgement, this area relates well to the host building and would not be harmful to the character and appearance of the area. The provision of a small parking area would be expected with a converted building and the visual effect of the parking area would be limited.

21. I acknowledge that the curtilage, as approved under the Class Q conversion, is small, due to the size of the converted building, and a larger area to provide parking and a garden area would be a reasonable request through a planning application. However, there is insufficient justification for the area now proposed which, taking the appellants' figure, would be greater than the 80sqm private amenity space recommended at paragraph 6.75 of the District Design Guide. Moreover, the District Design Guide also acknowledges that there may be some contexts where the guideline garden sizes would not be appropriate and indicates that smaller gardens could be accepted.
22. The boundary treatment could be secured by a condition, the appellants have planted hedging, and the Council would have full control over any future proposals for domestic outbuildings. However, the proposed area, due to the projection to the rear of the building and the close boarded fenced garden area to the side, would alter the character of the land from agricultural land to land with built development, gardens with associated ornamental planting, fencing and other domestic paraphernalia. In that regard the current proposal, albeit for a smaller area, is similar to the garden area for the previous appeal¹ as referred to by the appellants.
23. Due to its shape, projecting in formal straight edged blocks out from three sides of the building, the area proposed for change of use would have an awkward relationship with the surrounding rural character and project in three directions into the surrounding countryside. The shape of the area would result in a form that would be incongruous and would not respect the rural character of the area and the existing domestic gardens of houses, which are either organic in shape or more formal plots around the houses.
24. Although the appeal before me is not a Class Q permitted development conversion it is still a converted agricultural building within a rural area. That the building is now a residential dwelling does not justify the size and shape of the domestic garden proposed. Moreover, that the Class Q conversion was provided with a small garden is not determinative and does not outweigh the need for the proposed change of use to be appropriate to its rural location and respect the character of the existing building. For the reasons given above the proposed change of use to domestic land would not respect the agricultural character of the existing property or the area and would result in further loss of the open character of the existing site.
25. I therefore conclude that both the proposed extension and the change of use of land to domestic curtilage would be harmful to the character and appearance of the existing building and the area. The appeal scheme is therefore contrary to Policies S/7, HQ/1, HQ/13 and NH/2 of the LP which, taken together seek to restrict development in the countryside, ensure that extensions to dwellings outside the village framework boundaries are in scale and character with the existing dwelling and do not materially change its impact on its surroundings, and require high quality design which makes a positive contribution to, and preserves or enhances the character of the area.

¹ APP/W0530/W/20/3247548

Other Matters

26. Although the Council, during pre-application discussions, advised that a single storey extension would be most likely to be acceptable, the response was not based on the proposal now before me. Moreover, the response does not indicate that the proposed extension would be acceptable. The appeal scheme before me proposes a large single storey extension and at no time, including within the email dated 25 January 2023, did the Council explicitly confirm that the extension was acceptable.

Conclusion

27. For the reasons given above, the proposal would be contrary to the development plan, when taken as a whole, and the Framework. There are no other material considerations that would indicate that the proposal should be determined other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

K Townend

INSPECTOR