



Appeal Decision

Site visit made on 17 June 2024

by A Hartley, LLB(Hons), Solicitor, MBA

an Inspector appointed by the Secretary of State

Decision date: 16 August 2024

Appeal Ref: APP/H0520/D/24/3339328

22 Graveley Road, Offord Darcy, St Neots, Cambridgeshire PE19 5RB

- 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 David Williams against the decision of Huntingdonshire District Council.
 - The application Ref is 23/02079/HHFUL.
 - The development proposed is for the demolition of existing garage building, and new build home office/gym building with associated landscaping and drainage.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage, and new build home office/gym building with associated landscaping and drainage at 22 Graveley Road, Offord Darcy, St Neots, Cambridgeshire PE19 5RB in accordance with the terms of the application reference 23/02079/HHFUL 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:
 - Location & Site Plan 2209-PL-001-P04 – Existing
 - Location & Site Plan 2209-PL-004-P05 – Proposed
 - Floor Plan 2206-PL-005-P07 – Proposed
 - Elevations 2209-PL-008-P07 – Proposed
 - 3) The development hereby permitted shall be used solely for purposes ancillary to the main dwelling, 22 Graveley Road, Offord Darcy and for no other purposes.
 - 4) Prior to any occupation of the development hereby approved, a scheme to provide obscure glazing and limited opening of the rooflights shall be submitted to the Local Planning Authority for approval and shall be implemented and thereafter maintained.

Preliminary Matter

2. Prior to the determination of this appeal the views of the main parties were sought in relation to a condition requiring details of obscure glazing and restricted opening of the rooflights on the eastern elevation.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the host dwelling and the surrounding area and (ii) the living conditions of the neighbouring occupiers at No. 28 Graveley Road with particular regard to overlooking of the rear outside amenity area from the roof lights in the eastern elevation of the appeal proposal.

Reasons

Character and Appearance

4. The appeal property is situated in a village where the area has a diverse street scene with a mix of dwellings of differing sizes and styles. There is no dominant characteristic of design in the area. A positive feature in the vicinity of the site is the sense of spaciousness between the host dwelling and the neighbouring dwellings broadly south-east of the property.
5. The appeal site comprises a generous plot which can be viewed from public vantage points within the street scene. The prominent host dwelling and old converted bakery has been carefully renovated and extended by the current owners. The existing detached garage which lies in a front corner of the plot is a functional building and does not make a positive contribution to the character and appearance of the host dwelling or the street scene.
6. I consider the proposed, one and a half storey building to be of a good design, that would be subservient to the host dwelling and a sympathetic addition in relation to the character of both the host dwelling and the surrounding area. The pitched roof design, with accommodation in this space which reduces the bulk, would complement the appearance of the host dwelling. Having regard to the diverse range of finishes and designs within the surrounding area, I also find the use of materials in this instance would be appropriate and would provide interest through contrast with the host building. This would be an improvement on the functional appearance provided by the existing garage.
7. The separation distances between the host dwelling and other dwellings within the street scene would provide sufficient space to accommodate the proposal without resulting in harm to the existing degree of openness evident within the street scene. With the proposed design, size and bulk, together with the resulting spacing around the building, the proposal would successfully integrate within the street scene without harm to the character and appearance of the area.
8. I conclude that the proposal would make a positive contribution to the character and appearance of the host dwelling and the area by virtue of its acceptable design and appropriate scale within a generous plot.
9. Accordingly, I find that the proposal complies with policies LP11 and LP12 of the Huntingdonshire Local Plan (2019) (LP), the National Design Guide (2021), the Huntingdonshire Design Guide (2017), and the National Planning Policy Framework (the Framework), all of which seek high quality design appropriate to its context.

Living Conditions at No. 28

10. The proposed building has a pitched roof design and on the eastern elevation incorporates three rooflights which would light the upper floor accommodation. There are no substantial issues of overlooking or overshadowing neighbouring properties from the scheme, other than the possibility of viewing the private outdoor rear amenity space at No. 28 from the rooflights. I appreciate that the outdoor amenity area of No. 28 is already overlooked to some extent from other neighbouring properties.
11. I have had regard to the separation distance between the proposal and No. 28, the level of private amenity enjoyed to the rear of No. 28 and the nature of rooflights being to provide light into a room as opposed to an outlook from them. Nevertheless, it would be possible to stand within the upper floor accommodation and look towards the rear garden area of No. 28 and this has the potential to cause an issue that would affect the living conditions of these occupants.
12. To address this issue, I am satisfied that provided a condition is imposed that the rooflights are obscure glazed and of restricted opening for ventilation only, the proposal would not materially adversely affect the living conditions at No. 28 by reason of overlooking.
13. Consequently, I conclude that the proposal, subject to an appropriate condition on approval, would not lead to any unacceptable overlooking to the occupants of No. 28. The scheme would therefore comply with Policy LP14 of the LP and the Framework, which seek, in this case, to ensure that development provides a high standard of amenity for existing users.

Other Matters

14. The appellant has raised concerns about the manner in which the Council has handled planning applications made in respect of various proposals at the site including the application that is the subject of this appeal. Such matters are between the main parties and outside the scope of this planning appeal decision.

Conditions

15. I have had regard to the conditions suggested by the Council. I have not imposed a condition requiring matching materials, however, I have imposed a condition specifying the approved plans, which set out the approved materials, as this provides certainty. As the building is physically capable of being occupied independently of the main dwelling, in the interests of residential amenity in the area, I have imposed a condition to ensure the building is used only as ancillary to the main dwelling. I do not consider that it is necessary to use the wording suggested by the Council regarding preventing bed and breakfast or other short term visitor accommodation in the building as a limit to ancillary use is reasonable and sufficient in this case.
16. In the interests of ensuring the proposal does not unacceptably impact on the living conditions of the occupiers at No. 28, a condition is necessary to require obscure glazing and restricted opening of the rooflights on the eastern elevation of the appeal proposal.

Conclusion

17. Having taken into account all representations made, for the reasons given above, I conclude that the proposal accords with the development plan when considered as a whole and the Framework. Therefore, the appeal should be allowed subject to conditions.

A Hartley

INSPECTOR