



Appeal Decision

Site visit made on 13 September 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 October 2024

Appeal Ref: APP/V0510/D/24/3345289

4 Sutton Road, Mepal, Ely, Cambridgeshire CB6 2AQ

- 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 & Miss R & A Newton & Lloyd against the decision of East Cambridgeshire District Council.
 - The application Ref: 24/00107/FUL dated 31 January 2024 was refused by notice dated 21 March 2024.
 - The application is for extension above existing bungalow to form chalet bungalow, single storey front extension and garage extension.
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Decision

1. The appeal is allowed and planning permission is granted as per reference number 24/00107/FUL dated 31 January 2024 for extension above existing bungalow to form chalet bungalow, single storey front extension and garage extension subject to the conditions outlined in the Schedule below.

Main Issues

2. The main issues are the effect of the proposal upon the character and appearance of the area and the effect of the proposal upon the living conditions of neighbours.

Reasons

3. The appeal property is a single storey brick bungalow of three to four bays with three windows and main entrance door that face onto a front garden that is laid to lawn behind a low brick wall. The property appears fairly typical of its time and is very similar to its immediate neighbour in both design, form and footprint. To the rear there is a garden area and conservatory that abuts the elongated rear garden of number 43 Meadow Way part of which extends along the rear of the appeal plot.
4. The bungalow is largely suburban in its design and sits within a context that I consider is truly mixed whereby there is a variety of single, two storey and larger single storey buildings with rooms in the roof. As such there is no clear distinctive identity to the streetscene in this particular part of the village and heights, materials and scale vary considerably.
5. The proposal before me represents an amended scheme to extend the existing bungalow so as to create additional living space to ground floor and four new bedrooms to the first floor level. Instead of increasing the footprint, the

- proposal intends to increase the capacity of accommodation above the existing building so as to create a house with a new first floor and this would include a modest front extension also.
6. The new first floor would result in a slight raising of the existing eaves line with rooms being contained within a raised pitched roof. The three proposed bedrooms facing Sutton Road would therefore be served by modest pitched roof dormers and bedroom two would be served by two rooflights. To the rear also would be a bathroom, en suite and dressing area each served by additional roof lights within the rear roofslope.
 7. The eaves height of the existing bungalow is around 2.5metres and the ridge of the existing appears to be slightly over 4.5m. Conversely the proposed scheme would increase the eaves height to around 3.5m with the maximum height being around 7.4m. The rear velux windows would be located around 1.7m high all along the rear roofslope.
 8. In assessing this appeal I must firstly address the effect of the proposal upon the character and appearance of the area. As I mention above, the overriding character of this part of Sutton Road is one of a truly mixed character with single storey bungalows to two storey houses and even a mansard roof form all being visible from near the appeal site itself. This results in a mixed character that I consider is capable of accommodating different architectural styles and modest alterations of scale.
 9. As such, although the ridge of the proposal would be slightly higher than some of its lower neighbours the overall design would vary the eaves line and would also create sensitively designed pitched roof dormers to the front of the property. The result of this would be a change from the existing bungalow but it would not result in a harmful change, indeed I consider that the architectural design represents an enhancement of something more akin to the local vernacular character of the area and this would be positive.
 10. Although the design of the original bungalow would largely be subsumed within the proposed alterations, I do not consider it would be practicable for any extension here to appear subservient or to retain elements of this original building exposed and visible. This is due primarily to the modest size and scale of the bungalow which would not lend itself to any such extension that could realistically retain the legibility of the bungalow as it stands and also to the fact that the existing bungalow is not a particular good example of its type. As such I find no harm in the proposed design and its response to the existing building and consider it sufficient that the majority of the structure and footprint of this dwelling is being retained.
 11. In terms of the dominance of the roof form, any such raising of the roof height would be perhaps most keenly felt from Meadow Way to the rear of the site. This small cul de sac contains a collection of modest chalet bungalows that are already clustered relatively tightly together. However, the appeal site is located at a distance of around 8 to 10m from the boundary of number 43 Meadow Way and as such would be situated with a reasonable separation from the houses here when taking into account the width of the existing footpath from Sutton Road and the width of the fenced area of garden belonging to number 43.

12. As a result, although the roof height would raise, the peak of this roof would be some considerable distance away from houses in this street and as such I find only a negligible impact of this proposal.
13. Coming to the issue of overlooking, I note that all the proposed windows to the upper level of this rear elevation would be rooflight windows located at such a height as to make it difficult for anybody to be able to see the ground level from them. Moreover, the majority of windows would serve bathrooms and a dressing area. I therefore find that although a perception of overlooking may exist, such overlooking, in reality, would be highly unlikely and would require a special effort on behalf of the occupants to do this. Even were they intent or capable however, the majority of private areas of adjoining houses would not be readily visible.
14. Although number 43 Meadow Way has an area of garden to the rear of the appeal site, this appeared to house several sheds and did not appear to constitute to principal private garden area of this property. As such there would be very little opportunity for any direct overlooking through this proposal.
15. Ultimately this scheme would result in a modest enlargement of a low density building to serve the needs of a family home. The proposal would integrate into its mixed surroundings and would introduce certain design elements that would enhance the streetscene. Moreover, although the raising of height would be an alteration I do not consider that this would result in such overdominance or overlooking as to lead me to conclude that it is right to dismiss this appeal.
16. As such I consider that the Policy requirements of Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan, 2015 (as amended) have been met and that the scheme would protect the living conditions of neighbours whilst contributing in a positive manner to the streetscene as a whole.

Other Matters

17. Many local residents were concerned with the perceived loss of a bungalow from the local housing offer. Although I have no information before me as to evidence this lack of supply I do note that the Council do not have any specific policy guidance to protect existing bungalows. However, I also note that, although rooms would be created within a first floor to this dwelling, there could still be the capacity for a properly functioning ground floor bedroom and bathroom facilities that could serve any resident unable to use two storey accommodation. As such I consider that this proposal would not necessarily remove the ability of a less able person to live here.
18. Secondly, one objector mentioned that the site is within the setting of a Listed Building. This Listed Building would appear to be the Grade II Listed The Round House, 1 School Lane, Mepal (NHLE 1126975). However I have no evidence either from this particular objector as to how the significance of this building would be affected through this proposal and the Council have stated that there would be no impact and that the site would be without the buffer they use to assess such setting issues.
19. On my site visit I saw that the building was located some considerable distance away from the appeal site and there was no other obvious, nor likely physical relationship between the two. As such any impact would be to the wider setting

of the structure. In giving Special Regard as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I consider that the setting would actually be enhanced through this proposal through the improved design upon which currently exists. As such I have found no harm to the setting or significance of this heritage asset.

Conditions

20. I have included all the standard conditions as proposed by the Council, including their rewording of condition number 2 regarding materials. In order to further protect the living conditions of neighbours to the rear of the appeal site I also include the condition as proposed in the Appellant's statement of case with regards tree (T1). However, I do not consider that the other suggested condition with regards obscuring rear roof light windows would be proportionate and as such I have not included this condition as suggested by the Appellant.

Conclusion

21. For the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions set out below.

A Graham

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development. All works shall subsequently be carried out in accordance with the approved details.
- 3) The development hereby approved shall be carried out in accordance with the following approved plans: 02/3164/23 Proposed Site Plan, 05/3164R/23 Proposed Ground Floor Plan, 06/3164R/23 Proposed First Floor Plan, 07/3164/23 Elevations as proposed, 08/3164R/23 Section as proposed and drawing number 15000_01 (Topographical Survey) within the Appellant's Statement of Case dated May 2024.
- 4) The tree shown as T1 on drawing no. 15000_01 (Topographical Survey) shall not be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Should T1 die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted, then it shall be replaced with a tree of a similar size and species until the Local Planning Authority gives written consent to any variation.