



Appeal Decision

Site visit made on 19 November 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2025

Appeal Ref: APP/W0530/W/24/3342559

101 Mill Lane, Sawston, Cambridgeshire CB22 3HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Dipesh Patel of KRCP Properties Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref is 23/03606/FUL.
 - The development proposed is demolition of existing dwelling and construction of new detached 4-bedroom house and garden studio.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the proposed dwelling upon the character and appearance of the area
 - the effect of the proposed outbuilding upon the living conditions of the occupiers of No 1 The Stakings with particular regard to outlook; and
 - the effect of the proposed development upon the rural character and openness of the Green Belt.

Reasons

Character and Appearance

3. The appeal building is a modestly sized detached two storey dwelling that has a hipped roof, although there is a flat roof over the two-storey side extension. There is also a small single storey garage attached to the opposite side of the house and a single storey addition to the rear. The house is built from dark brown bricks and similarly coloured tiled roof with a rendered frontage on the extension.
4. The house is set back from the road behind a modestly sized front garden and between this house and the neighbouring property is an access road leading to The Stakings, a cul-de-sac with dwellings to the rear of the appeal property. Given the location of The Stakings the flank wall of the appeal dwelling is relatively prominent within the immediate street scene compared to other houses nearby. The building is located towards the edge of Sawston and next to the dwelling are open fields which are within the open countryside and the

Green Belt. As such, the dwelling does form part of the approach into the settlement.

5. Within the nearby area the houses are a mix of styles and materials although they are generally brick built and there is a mix of hipped and gabled roofs. The houses are single storey and two storey buildings with varied roof heights, and the two storey dwellings often have split levels which reduces the appreciated scale and massing of the houses. The buildings in the area are generally modest in scale with regard to height, width, and depth.
6. Most dwellings are set back from the roadside behind front gardens and driveways. They are also typically set within spaciouly sized plots with gaps retained between buildings. The houses around The Stakings are two storey buildings that are generally more densely developed than the houses along Mill Lane, although they use similar materials and have split level roofs. The spacious plot sizes and the relatively modest scale of the dwellings, creates a spacious character and appearance to the area.
7. It is agreed between the parties that the appeal property is in a poor physical condition and having seen the property I see no reason to conclude otherwise. Whilst the scale of the side extension appears subordinate to the host building, the flat roof over it does not create a homogenous design and appears discordant with the hipped roof over the rest of the house. The overall scale and massing of the extended dwelling is consistent with the other houses in the area and does not appear substantially larger than them and thus overall, the dwelling positively contributes towards the spacious character and appearance of the area.
8. The proposed dwelling would be sited in the same general location as the existing house and would have a parking area to the front of it similar to other houses nearby.
9. The extended house and garage do extend across most of the site. However, the limited scale of the existing garage and rear extension retains spaciousness around the house. The design of the proposed building, which would occupy almost the full width of the site over two storeys, would enclose the spaciousness around the house, especially compared to the other properties in the area. The hipped gable on the front elevation and the mono pitched lean-to would, up to a point, break up the bulky appearance of the front elevation.
10. There are comparably wide dwellings nearby such as 125 Mill Lane and Nos 1 and 2 The Stakings. However, those buildings and others nearby generally have split level roofs and setbacks built into the front or side elevations which breaks up the appreciated bulk of those dwellings. In comparison, given the considerable width of the house, and the large expanse of the roof, the dwelling would appear large and bulky compared to other houses nearby. Consequently, the large scale and massing of the dwelling would appear discordant with other houses in the street scene.
11. The flank wall of the property would extend a considerable distance along The Stakings and would be a similar height along the full depth of the house. The proposed dwelling would have a large expanse of brickwork with a few window openings and a small area of off-white render to break up the monotonous

appearance of the wall. In comparison, the neighbouring house has a mix of single storey and two storey elements to break up the bulk of the house.

12. Given the location of The Stakings, the flank wall of the proposed dwelling would be relatively prominent within the street scene and the scale of such a large expanse of mostly plain brickwork would appear stark and jarring with the other houses in the area.
13. Whilst the proposed buff bricks and hipped roof would be consistent with other houses nearby, the stark difference between the scale and massing of the proposed house and the others would further emphasise the discordant design approach.
14. It is noted that the scheme before me follows the withdrawal of a previous application for a larger dwelling than that proposed¹. Whilst the dwelling would be smaller than what was previously proposed it would not overcome the concerns identified above.
15. Therefore, for the reasons given above, the proposed dwelling would harm the character and appearance of the area. Consequently, it would conflict with Policy HQ/1 of the South Cambridgeshire Local Plan (LP) insofar as it states that development proposals must preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape.

Living Conditions

16. The proposed outbuilding would be located close to the shared boundary between the appeal site and No 1. Between the proposed outbuilding and the flank wall of No 1 is a patio area and this wraps around the house and the main section of the garden is on the opposite side of No 1. However, this patio area can still be used for sitting out, gardening, drying clothes, and other typical uses of a garden.
17. This patio area is relatively narrow and there is a single storey addition to No 1 located next to the patio area. The proposed garden studio would be approximately 4.1metres(m) tall with a hipped roof. This would be located around 2.4m from this patio area and would extend across most of the width of the garden.
18. Given the height and location of the proposed outbuilding it would be clearly visible from the patio area. When the garden studio would be viewed alongside the existing rear addition at No 1 and the two-storey flank wall to the rear, this would create a corridor effect which would have an enclosing and overbearing effect upon those using the patio area. Whilst this is not the only area of open space available to the occupants, the development would create an overbearing living environment and harmfully effect the enjoyment of the patio area.
19. Therefore, for the reasons given above, the proposed outbuilding would unacceptably harm the living conditions of the occupiers of No 1 The Stakings with particular regard to outlook. Consequently, it would conflict with Policy HQ/1 of the LP which states that development, amongst other matters, must protect the health and amenity of occupiers and surrounding uses from development that is overbearing.

¹ Application Reference: 23/01876/FUL

Green Belt

20. The field next to the appeal building is within the Green Belt but the appeal building itself is not. As such, the development is not subject to the same policy restrictions as developments that are within the Green Belt.
21. Along the boundary of the appeal site next to the Green Belt are trees and hedges which generally screen the dwelling when viewed from the Green Belt, although there are still glimpsed views of the house. The proposed dwelling would be considerably larger than the existing house and would bring the two-storey element of the built form closer to the boundary of the site and thus the Green Belt. However, it would be seen in the context of the residential development around it and the larger dwelling would not look inconspicuous in this context for it to have an unacceptable visual intrusion upon the openness of the Green Belt.
22. Additionally, a condition has been suggested that could be attached to any permission to require approval of soft landscaping which would accord with the requirements of LP Policy NH/8 which seeks to ensure sites on the edges of settlements in the Green Belt are carefully landscaped.
23. Consequently, subject to suitably worded conditions, the proposed development would not have an adverse effect on the rural character and openness of the Green Belt and would comply with Policy NH/8 of the LP for the reasons given above.

Planning Balance

24. The proposal would replace an existing dwelling and as such it would not secure any net benefit to the Council's housing land supply. The scheme would replace a dwelling which is in a poor physical condition and there would be short term economic benefits during works to demolish the house and then the construction of the new home. The proposal would replace an existing building with a larger dwelling which may increase the number of people living in the area and contributing towards the local economy. Given the limited scale of the development I attribute limited weight to this in favour of it.
25. The proposal would reuse a previously developed site, although the scheme would involve the demolition of an existing house rather than reusing it. In light of the limited scale of the scheme I attach limited weight to this in favour of the development.
26. The scheme would result in a larger dwelling, and this would provide space for a multigenerational family to remain together and contribute towards the local area, and this would be a social benefit of the scheme. Considering the limited scale of the development I attribute limited weight to this benefit of it.
27. The appellant states that the house could be extended using the dwelling's permitted development rights. The Council has not stated that the dwelling's permitted development rights have been removed and as such as far as I have been made aware the house still retains them. As a result, there is a greater than theoretical probability that the house could be extended using its permitted development rights.
28. However, plans for what could be built using those rights have not been submitted and thus I do not know the extent of what could be built.

Furthermore, elements of this may require prior approval which may not be given and in light of what appears to be other additions to the property I do not have substantive evidence that the house could be extended to have a greater scale and massing and thus more harmful than the proposed development. As such, the fallback scheme would not be more harmful to the character and appearance of the area than the proposed development and as such, this fallback scheme does not weigh in favour of the proposal.

29. Similarly, whilst an outbuilding could be built within the appeal site using the dwelling's permitted development rights, there is no robust evidence that it would be as large as that proposed. Consequently, the fallback scheme would not be more harmful to the living conditions of the neighbouring occupiers than the proposed outbuilding and as a result, the fallback scheme does not weigh in favour of the development.
30. Whilst the proposed development would not have an adverse effect on the rural character and openness of the Green Belt it would harm the character and appearance of the area as well as the living conditions of the neighbouring occupiers. This would result in a conflict with the development plan as a whole. The benefits of the proposal must be weighed against the harms that would arise from the development and I afford such considerations significant weight in decision making terms. As a result, the benefits of the development do not outweigh the stated harms.

Conclusion

31. Therefore, for the reasons given above, the development would conflict with the development plan and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Consequently, for the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR