



---

# Appeal Decision

Site visit made on 16 August 2011

**by Hilary Lock BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 24 August 2011**

---

**Appeal Ref: APP/Q0505/D/11/2156579**

**21 Belvoir Road, Cambridge, Cambridgeshire, CB4 1JH**

- 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 Ian Jolley against the decision of Cambridge City Council.
  - The application Ref 11/0405/FUL, dated 28 March 2011, was refused by notice dated 24 June 2011.
  - The development is described as 'proposed alterations to reduce bulk of existing loft rooms'.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. Notwithstanding the description of the development, the extension of the hipped roof to gable and the 'L'-shaped rear dormer, as constructed, do not benefit from planning permission. The development the subject of this appeal therefore comprises these existing additions to the property with the proposed alterations shown on the submitted plans.

## Main Issues

3. The main issues are the effect of the extension on (1) the appearance of the appeal building and the wider De Freville Conservation Area; and (2) the living conditions of neighbouring residents, with particular reference to outlook.

## Reasons

### *Appearance*

4. The appeal property is a semi-detached dwelling with rooms in the roofspace, located in a road of primarily two-storey period houses. As noted above, the dormer window and other roof alterations form part of the appeal proposals. The attached property retains the original hipped roof, and has a rear dormer window.
  5. An appeal to retain the roof extensions as constructed was dismissed under refs. APP/Q0505/C/10/2121824 & 2121825. In dismissing the appeal, the Inspector concluded that some form of rear roof extension could be acceptable, and that the unauthorised development has no harmful impact upon the
-

character and appearance of the conservation area. However, the proposals the subject of this appeal would introduce an awkward design, with a part-chamfered and part-flat roof that would be discordant in relation to the main dwelling. Although it is proposed to use matching reclaimed tiles on the slope and the side elevation of the deepest part of the dormer, the mix of tiling and green painted timber to this elevation would exacerbate the disharmony.

6. Whilst I acknowledge the reasons for dismissing the previous appeal, this proposal introduces matters of detailed design which did not arise in the previous scheme, and these conflict with the aims of Policy ENV7 of the East of England Plan (EEP) and Policies 3/4 and 3/14 of the Cambridge Local Plan 2006 (LP), through the failure to reflect or successfully contrast with the form, materials and architectural detailing of the main dwelling. Moreover, the proposals would not accord with national policy set out in Planning Policy Statement 1, *Delivering Sustainable Development* (PPS1), which advises that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.
7. There is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. Although I conclude that the proposed design would be unacceptable in relation to the main dwelling, on balance, glimpses of the extension beyond neighbouring gardens would be limited, and when viewed against the backdrop of the wall of 23 Belvoir Road the character and appearance of the conservation area would be preserved.
8. I conclude that the proposed development would be harmful to the appearance of the appeal building, and would conflict with the aims of PPS1, EEP Policy ENV7 and LP Policies 3/4 and 3/14.

#### *Living Conditions*

9. In determining the previous appeal, the Inspector noted that the development was dominating, and that the size of the rear projection was particularly intrusive, causing a harmful overbearing effect upon the occupants of No.19. The change in materials to part of the side elevation and the incorporation of a partly pitched roof would not materially reduce its scale, bulk and visual impact. Due to the depth of the projecting section over the single-storey wing, it would remain an unacceptably overbearing addition that would be harmful to the living conditions of occupants of No.19.
10. For this reason, I conclude that the proposal would conflict with the aims of LP Policy 3/14b, in that it would visually dominate the outlook from that property.

#### **Conclusion**

11. For the reasons given above, and having regard to all other matters raised, including the impact on other neighbouring residents, I conclude that the appeal should be dismissed.

*Hilary Lock*

INSPECTOR