



Appeal Decision

Site visit made on 10 February 2020 by Andreea Spataru BA (Hons) MA

Decision by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2020

Appeal Ref: APP/W0530/D/19/3241371

12 Elms Avenue, Great Shelford, Cambridge CB22 5LN

- 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 Eric Maloney against the decision of South Cambridgeshire District Council.
 - The application Ref S/2282/19/FL dated 29 June 2019, was refused by notice dated 31 October 2019.
 - The development proposed is described as "Erection of a lightweight polycarbonate roof sheet as a lean-to covering to the sideways, at the end of the house, along a length of six metres. There was already planning permission for a roof at the same level which covered a car port for 22 years. That roof was removed in 2018 to make way for the building of an extension leaving the side of the car port in place. The area is used as storage for 3 bikes and 1 double section ladder. The roof provides dry storage and, along with a short section of trellis, a great deal of security. The roof is virtually to see from the road or the adjoining property at no.14. Photos are attached."
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Decision

1. The appeal is allowed and planning permission is granted for a lightweight polycarbonate sheet as lean-to covering to side elevation at 12 Elms Avenue, Great Shelford, Cambridge CB22 5LN in accordance with the terms of application Ref S/2282/19/FL dated 29 June 2019.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. I have used the description of the development from the Council's decision notice in my formal decision as opposed to that stated on the application form as I consider this to be more precise.
4. The lean to has been in place since May 2019 and the appeal is therefore retrospective.

Main Issue

5. The main issue is whether the development preserves or enhances the character or appearance of the Conservation Area.
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Reasons for the Recommendation

6. The appeal property is a detached, two storey, brick-built dwelling, located within the Great Shelford Conservation Area (CA). The CA is a fairly large one and covers much of the centre of the settlement. Within the context of the historic nature of much of the CA, Elms Avenue is a fairly modern cul-de-sac consisting of two storey and single storey detached homes. No 12 Elms Avenue is set-back from the street, has a private drive to the front and boundary treatment that consists of a low brick wall, timber fence, a tree and other vegetation. The development seeks retrospective permission for a lightweight polycarbonate sheet as lean-to covering to the side of the dwelling; a wooden gate is sited at the front to allow access.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 192, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
8. The polycarbonate roof sheet occupies a secluded position behind the wooden door to the side of the host dwelling. The existing boundary treatment to the side and front of property also provides additional screening for the development. I note that the choice of materials is not traditional within a conservation area. However, given the small scale of the development and its siting in relation to the host dwelling, the nature of the host dwelling and the character of the road, the lean-to covering is not prominent within the street scene and has a neutral impact on the character of the existing dwelling and upon the wider character and appearance of the area.
9. Thus, I am satisfied that the development preserves the character and appearance of the CA. Accordingly, there is no conflict with Policy HQ/1 and NH/14 of the South Cambridgeshire Local Plan. These policies require, amongst other things, for development to conserve or enhance the CA as appropriate to the scale and nature of the development. For the same reasons the proposal would meet the aims of the Framework and the statutory duty of the Act as set out above.

Other matter

10. I have taken into account the neighbours' comments in so far as they relate to planning matters and the appeal development. The Council found the development acceptable in all other matters, except the issue addressed above. From all I have seen and read I have no reason to disagree.

Condition and Recommendation

11. I have had regard to the Council's suggested conditions, in the event of the appeal being allowed, in the light of advice in the Planning Practice Guidance (PPG) and I have considered them against the six tests, as outlined within the Framework and the Planning Practice Guidance (PPG). Giving that the application is retrospective, the time limit condition, the approved plans

condition and the matching materials condition are not necessary and do not meet the tests for conditions as set out in the Framework and PPG.

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Jon Hockley

INSPECTOR