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## Appeal Decision

Site visit made on 22 December 2023

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024.

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**Appeal Ref: APP/ W0530/D/23/3330349**

**58 Shelford Road, Fulbourn, Cambridgeshire CB21 5HJ.**

- 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 and Mrs Sparkes against the decision of South Cambridgeshire District Council.
  - The application 23/01856/HFUL, dated 12 May 2023, was refused by notice dated 10 July 2023.
  - The development proposed is conversion and extension of existing garage with link to the main house and rear box dormer to the existing house.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. In the period since the appeal was submitted the Government has published a revised version of the *National Planning Policy Framework* (the Framework). None of the changes are relevant to this appeal but I have used the paragraph referencing from the new Framework in my decision below.

### Main Issues

3. The main issues are the effect of the proposed development on:
  - the character and appearance of the host dwelling and surroundings on Shelford Road.
  - highway safety

### Reasons

#### *Character and Appearance*

4. The appeal property sits on the south side of Shelford Road and faces over to open countryside. No 58 is a large, detached house with a separate double garage on its east side. Both are built in brick with a tile roof. The roof form is hipped on the main house with a front facing gable projection and hipped over the garage in a pyramidal form.
5. It has been put to me that because the converted garage, even with the front extension, would be set back from the main house and the raised roof of the garage would remain below the roof of the main house that the conversion as extended would appear subservient to the main house and therefore acceptable. However, whilst I accept the annexe would be set back behind the front building line and set down from the main roof, for a number of reasons the impact on the

character and appearance of the house and its surroundings of what is proposed would be inappropriate.

6. The current garage is designed as a small, low, single storey, ancillary building to the main house. The increase in height and bulk from the upper floor, the addition of the front extension, the change from a hipped to a gabled roof and the introduction of a front facing dormer, which is not a feature of the area, cumulatively, would create a building that will appear dominant, out of character with the main house and no longer ancillary to it. The impact on the character of the main dwelling viewed from Shelford Road as a result of the proposals will be significant and adverse notwithstanding the fact that materials will be chosen to match.
7. Regarding the rear extension linking to the proposed annexe, which would replace the existing conservatory, I am satisfied that the scale, mass and design of this rear extension would be acceptable in terms of the character and appearance of the rear elevation to the main house.
8. Whilst it has been put to me that the linking element in closing the gap between the garage and main house would have a detrimental impact on the character of the street I am not persuaded by this argument. The gap between the garage and the main house viewed from Shelford Road is very narrow and not a prominent feature in the street scene. Moreover, the gap is already enclosed by a close-boarded fence and gate and as such the construction of the link would have little further impact viewed from the street.
9. It is open to me to issue a split decision on an appeal where one part of the proposal would be acceptable, allowing that part whilst dismissing unacceptable elements. However, to do so, the two parts of the proposal cannot be physically and functionally linked. In this case the rear single storey extension is clearly physically linked to the garage conversion and also functionally linked to the annexe as it provides its entrance. A split decision allowing the rear extension would therefore be inappropriate.
10. In respect of the proposed rear facing box dormer, although the scale and mass of the roof extension would appear top heavy in the rear elevation I accept that, as proposed, it would constitute permitted development under Class B to Part 1 of Schedule 2 of the *General Permitted Development Order*. As it could proceed independently as permitted development it is not necessary to issue a split decision on this appeal which would allow this element of the proposal whilst dismissing the conversion and extension of the garage.
11. The Framework at paragraph 135 requires that developments must add to the overall quality of the area, be sympathetic to local character and be visually attractive amongst other things and in these respects the proposal fails. Policy HQ/1 of the *South Cambridgeshire Local Plan* (SCLP) reflects the Framework in requiring development to preserve or enhance the character of the local urban or rural area and be compatible with the location and appropriate in terms of scale, density, mass, form, siting, design, etc in relation to the surrounding area. The same is the case with *Fulbourn Neighbourhood Plan* (FNP) at Policy 06 which requires development to respect and contribute positively to the character areas and setting of Fulbourn and Policy 07 which requires all development to be of high design quality. For the above reasons i.e. the scale, height, roof design and front dormer roof extension proposed for the annexe, the proposal would have an unacceptable impact on the established character and appearance of the main house and constitute harm to its surroundings.

### *Highway Safety*

12. The current dwelling, excluding the double garage, has space to comfortably park 3 cars. The driveway has a very wide access to Shelford Road and easily allows manoeuvring on site to allow vehicles to exit the site in forward gear.
13. It was apparent from observations on my visit that whilst it is unlikely the 4 cars shown on the proposed block plan could be accommodated without increasing the width of the parking bay immediately south of the house front, 3 cars could be accommodated and turned on site even with the front extension to the converted garage constructed.
14. Policy TI/3 of the SCLP and its related Figure 11 requires only 2 spaces for the dwelling and therefore the provision of 3 spaces would be adequate and would not result in vehicles having to park on Shelford Road. There is therefore unlikely to be any impact on highway safety on Shelford Road and in any event any permission could be conditioned to require laying out of the car parking and turning before first occupation of the new annexe.

### *Other Matters*

15. It has been put to me that the proposal as designed could easily be segregated to become its own dwelling. Given that the annexe functionally shares access, parking and garden areas with the main house I consider this unlikely. In any event, it is standard practice in respect of annexes, were the appeal to be allowed, to attach a controlling condition restricting occupancy to dependents of the main house and preventing separate disposal of the annexe. In this context the owner would have to apply for permission to create a separate dwelling.
16. I understand the appellant's wish to make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11 and I acknowledge that this national policy objective makes the principle of the development acceptable. In particular, I note the requirement for the annexe to accommodate the special needs of the applicants' son. However, paragraph 128 in the same section 11 of the Framework states that this efficient use of land should not be at the expense of maintaining an area's prevailing character and setting. Sustainable and effective use of the dwelling by converting and extending the garage would not therefore outweigh the harm to the character and appearance as a result of the proposal. Although the principle of the conversion to an annexe would not be unacceptable, I am not persuaded that an alternative design for smaller accommodation resolving the shortcomings of the design set out above could not have been achieved to meet the need.

### **Conclusion**

17. In reaching my decision I have had regard to the matters before me and, notwithstanding my conclusion regarding highway safety, the impact of the development on the character and appearance of the main house and surroundings means that the appeal should be dismissed.

*P. D. Biggers*

INSPECTOR