



Appeal Decision

Site visit made on 24 July 2023

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2024

Appeal Ref: APP/W0530/D/23/3317710

38 High Street, Little Shelford, Cambridgeshire CB22 5ES

- 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 Dr Jonathan Evans against the decision of South Cambridgeshire District Council.
- The application Ref 22/03445/HFUL, dated 26 July 2022, was refused by notice dated 9 December 2022.
- The development proposed is single storey rear extension and two storey side extension, demolition of two existing garages and the construction of two detached garages. Demolition and construction of a new front boundary wall, alterations to the existing vehicular access and landscaping.

Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension and two storey side extension, demolition of two existing garages and the construction of two detached garages. Demolition and construction of a new front boundary wall, alterations to the existing vehicular access and landscaping at 38 High Street, Little Shelford, Cambridgeshire CB22 5ES in accordance with the terms of the application, Ref 22/03445/HFUL, dated 26 July 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

21019 (FE) 001 Rev A - Site Location Plan
21019 (PL) 020 Rev J - Proposed Site Plan
21019 (PL) 021 Rev E - Encroachment Diagram
21019 (PL) 150 Rev M - Proposed Ground Floor Plan
21019 (PL) 151 Rev I - Proposed First Floor Plan
21019 (FE) 152 Rev F - Proposed Roof Plan
21019 (PL) 200 Rev F - South and East Facing Elevations
21019 (PL) 201 Rev D - North and West Facing Elevations
21019 (PL) 202 Rev C - Proposed Section
21019 (PL) 203 Rev D - Proposed Elevations Sheet 2
21019 (PL) 204 - Proposed Garage
21019 (PL) 205 - Proposed Family Garage & Car Port
21019 (PL) 206 Rev C - Proposed Street Scene
21019 (FE) 600 Rev A - Vehicular Dimensional Plan

- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 4) Prior to any above ground construction, details of any materials to be used in the external construction of the development hereby permitted shall have been submitted to and agreed in writing by the local planning authority. Thereafter, the development shall only be carried out in accordance with the approved details.
- 5) No works to boundary treatments or final soft landscaping shall take place until details of these matters have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) earthworks showing existing and proposed finished levels or contours;
 - ii) boundary treatments;
 - iii) vehicle parking layouts;
 - iv) other vehicle and pedestrian access and circulation areas;
 - v) hard surfacing materials;
 - vi) location and species of proposed soft landscaping
 - vii) an implementation programme, including a method statement for any works to the front boundary wall.

The landscaping works shall thereafter be carried out in accordance with the approved details and in accordance with the agreed implementation programme.

- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters

2. It is indicated on the appeal form that the description of development has changed from that originally applied for. As the main parties have agreed to this change, I have used this description also as it accurately describes the development.
3. The appellant has provided a number of plans which have not been provided by the Council. I understand that some of these plans relate to earlier iterations of the scheme and have since been superseded. For the avoidance of doubt, and as the appeal has been made under the Householder Appeal Service process, I have considered the proposal on the basis of the plans provided by the Council and which are set out on its decision notice.

4. The Council requested that the site be viewed from a neighbouring property, however there was no request to do so from the occupiers of that property, and I am satisfied that I was adequately able to view and understand the appeal site and its surroundings from within the appeal site itself.
5. In reaching this decision, I have had regard to the revised version of the National Planning Policy Framework ('the Framework') that was published on 20 December 2023 but as it does not involve changes to national policy affecting the proposal, I have not sought the parties' comments upon it.

Main Issues

6. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including whether the proposal would preserve or enhance the character or appearance of Little Shelford Conservation Area, and;
 - the effect of the proposal upon the living conditions of the occupiers of neighbouring properties with particular regard to outlook.

Reasons

Character and appearance

7. The appeal site is located within Little Shelford Conservation Area ('the CA'), therefore I have had regard to the statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
8. The boundary of the CA includes the historic core of the village. The Little Shelford Village Design Guide Supplementary Planning Document ('the LSVDG') indicates that the appeal site is within 'Character Area 4 – High Street residential and western village edge'. It goes on to state that this is characterised by open green spaces and an eclectic mix of buildings, many of which are historical and located close to or directly on the pavement. These characteristics, along with the historic settlement pattern, a prevalence of trees and hedges within public and private space, along with occasional framed views towards open countryside, all contribute to the significance of the CA.
9. The appeal property is a large, detached villa set within an expansive garden, and is set back from the road frontage, with the front garden dominated by a large mature tree. A pair of single storey outbuildings are found within the front garden.
10. The large gardens of the appeal property and those which adjoin it are somewhat at odds with the overall tighter grain of the CA, particularly on the eastern side of High Street where properties and associated plots are generally smaller, and also in comparison to more modern development on the south-western side of High Street, where dwellings tend to extend across much of the plot frontages. The LSVDG recognises that the western side of High Street, on which the appeal site is situated, has a suburban 'ribbon development' character which is different to the rest of the village.
11. At present there is a gap between the appeal property and its neighbour to the south-east. However, I saw that this gap is not a significant element in terms

of the character of the area as it is significantly obscured by a large detached garage, which is situated towards the front of the plot, and also by the substantial hedgerow at the road frontage, along with the tree in the front garden. Accordingly, the benefit of this gap in terms of allowing the appreciation of the open countryside beyond the village is limited.

12. Furthermore, this gap is not specifically referenced within the LSVDG, and it is otherwise unclear from this document what may constitute an 'occasional framed view towards open countryside'. Overall, given my findings, I consider that it does not form an occasional framed view for the purposes of this document and its contribution towards the significance of the CA is minor.
13. The proposed extensions would substantially, although not entirely, fill this gap with a combination of single and two-storey development. The single storey element would incorporate a flat-roofed design and the two-storey element would have a degree of stand-off from the host property. This would retain some of the existing separation, but the gap would nevertheless be reduced. However, on the basis of my reasoning above, in itself, the reduction of this gap would not be harmful to the character or appearance of the CA.
14. The proposed extensions would objectively be substantial additions to the property. However, the appeal property is itself large, and its grounds expansive. Furthermore, the proposal would be set back from the front of the plot, and the mixed single and two-storey design approach would serve to reduce any perception of bulk, would provide separation between the host property and the two-storey element, and the proposal as a whole would be read as a subservient and proportionate addition to the appeal property. The two-storey element would also be suggestive of the scale of buildings on the other side of High Street and in doing so would not appear incongruent. Having regard to these factors, I consider that the proposal could be satisfactorily absorbed within this context and would not amount to overdevelopment or appear harmful in terms of its scale.
15. The Council has not raised objection to the contemporary design language of the proposed extensions, the palette of materials that is proposed to be used, nor the separate proposed detached garages. The design approach in relation to these matters broadly aligns with advice within the LSVDG and the South Cambridgeshire Local Development Framework Development Affecting Conservation Areas Supplementary Planning Document ('the DACA'). I therefore have no reason to disagree with these conclusions.
16. It is also proposed to carry out alterations to the front of the appeal site, and it is stated that the existing fence would be replaced by a low brick wall with railings above, and with a hedge located on the inside of the wall. Whilst this would be a more formal arrangement than currently exists, it would reflect other approaches to front boundary treatments in the immediate area, which are generally low walls, and in some cases also incorporate railings. Although formal hedges are not common features, the incorporation of such an element within the appeal scheme would not harm the character or appearance of the CA, which is eclectic with regard to boundary treatments and soft landscaping. Final details of such an arrangement could be secured by means of a planning condition.
17. For the above reasons, I conclude that the proposal would not be harmful to the character and appearance of the host property and CA. As such it would

accord with Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018 ('SCLP'). Together, and amongst other matters, these policies require new development to preserve or enhance the character of the area and respond to its context in the wider landscape, conserve or enhance historic assets and their setting, include coherent, place-responsive design which responds to local context, and be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion and materials.

18. For the same reasons, the proposed development would also accord with advice within the LSVDG, the South Cambridgeshire Design Guide, and the DACA, as well as Chapter 16 of the Framework relating to conserving and enhancing the historic environment.

Living Conditions

19. The proposal would result in buildings being located closer to the shared boundary with the neighbouring property to the south-east than at present. I saw that the neighbouring property has a triangular bay window feature in the elevation which addresses the shared boundary, however the nature of the space which it serves is unclear.
20. The element of the appeal proposal which would be closest to this window would be single storey in nature, and space between the structures would be retained. Although it is probable that the appeal proposal would be visible from this window, given the angled design of the side elevation window and the otherwise open front and rear aspects of the neighbouring property, I find that it would not appear as unacceptably overbearing.
21. The proposal would not harm the living conditions of the occupiers of the neighbouring property with particular regard to outlook. The proposal therefore complies with SCLP Policy HQ/1, which, amongst other criteria, requires that new development protects the amenity of occupiers and surrounding uses from development which is overbearing. The proposal is also consistent with the Framework, which, amongst other objectives seeks to ensure a high standard of amenity for existing occupiers.

Other Matters

22. The appeal site is located within the setting of a Grade II listed building ('the LB'), which is a public house formerly known as The Plough, but now operating as The Navigator. The listing description identifies that the LB is a repurposed former row of cottages, and probably dates from the 17th Century, with later alterations and additions. The significance of the LB, insofar as it relates to this appeal, is derived from its historic interest as a building of vernacular design.
23. The effect of the proposal upon the LB or its setting did not form part of the Council's reasons for refusing planning permission. Nevertheless, the statutory duty under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the building or its setting or any features of special historic interest which it possesses.
24. The proposed extensions to the appeal property would be set back from the road frontage, would remain subservient to the appeal property and the existing mature tree within the front garden retained. The proposed works to the front garden and boundary walls the proposal would assimilate with other

boundary treatments within the street. Together these factors mean that the proposal would have a neutral effect on the significance of this listed building and would preserve its setting.

Conditions

25. I have had regard to the various planning conditions suggested by the Council and consultees. Where necessary, I have amended the conditions in order to ensure that they meet the relevant tests set out in Paragraph 56 of the Framework and within the Planning Practice Guidance. Where necessary, I have received agreement from the appellant with regard to pre-commencement conditions in accordance with Section 100ZA(5) of the Town and Country Planning Act 1990.
26. In addition to the standard time limit condition, I have attached conditions requiring adherence with the approved plans, requiring agreement of external materials, and requiring final details of proposed boundary treatments and landscaping. I have also attached a condition ensuring that any landscaping is implemented and maintained. These are all required in the interests of clarity and securing a satisfactory form of development in the interests of the character and appearance of the area.
27. A condition relating to tree protection measures is included in the interests of ensuring the health and longevity of existing trees on the site. This is required to be pre-commencement to ensure that trees are adequately protected from the outset of construction works.
28. However, I have not attached the Highway Authority's suggested conditions in relation to the width of the proposed access, the set back of access gates, the provision of visibility splays, access drainage and the use of bound materials as these matters are all specified upon drawing "Vehicular Dimensional Plan 21019 (FE) 600 A". Additional conditions in relation to these matters are therefore not necessary.

Conclusion

29. The proposed development would be in accordance with the development plan as a whole, and there are no material considerations that would lead me to reach a conclusion other than in accordance with it.
30. For the reasons given above, I conclude that the appeal should be allowed subject to the attached conditions.

C Harding

INSPECTOR