



Appeal Decision

Site visit made on 21 November 2024

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/W0530/W/24/3343378

Land to the rear of 10B Church Street, Great Shelford, Cambridge, CB22 5EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr D Murton & Ms L Maltpress against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/00513/PIP.
 - The development proposed is erection of 1 dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for development comprising a maximum of 1 dwelling at Land to the rear of 10B Church Street, Great Shelford, Cambridge, CB22 5EL in accordance with the terms of the application, Ref 24/00513/PIP.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. I have dealt with the appeal on this basis and considered any plans, other than the site location plan, as being for illustrative purposes only. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. In the context of this appeal for permission in principle, the scope of the permission is limited to location, land use and amount of development and matters of design would be dealt with at the technical details consent stage.
5. The appellant has applied for a maximum of 1 dwelling and therefore the amount of development is a matter for consideration. The parties agree that the location and land use is acceptable and therefore I have not considered these aspects as part of my decision.

6. As such the main issue is the effect of the amount of development on the character and appearance of the area.

Reasons

7. The appeal site comprises a detached single garage and part of the rear garden of 10b Church Street. The site abuts the Great Shelford Conservation Area (CA), with the access from Church Street being within the CA. The site is relatively narrow and is located in a backland position within a group of existing development accessed off of Church Street.
8. The Council have calculated that the density of the proposed development would be 41.67 dwellings per hectare (dph), which would exceed the suggested density of 30 dph set out within policy H/8 of the South Cambridgeshire Local Plan (2018)(LP). The supporting text to policy H/8 indicates that the appropriate density for any particular location will be determined by the nature of the area and by its surroundings and by a need to use land efficiently as a finite resource.
9. Similar sized plots in the form of terraced and semi detached dwellings with long narrow gardens are evident along Church Street in close proximity to the appeal site. Having regard to the amount of development proposed, a single dwelling would result in a density compatible with the adjoining development and the plot size does not appear incompatible with a proposal for a single dwelling.
10. Furthermore, whether the appearance of a single dwelling on the site would be appropriate having regard to the character of the surrounding area and the street scene would also be matters for consideration at technical details stage once details of design and layout are available, and it is then that the development would need to be considered against policy HQ/1 of the LP. In addition, matters such as whether an appropriately sized dwelling could be provided to meet or exceed the Governments Technical Housing Standards – Nationally Described Space Standard, as required by policy H/12 of the LP would be for consideration as part of the TDC.
11. The development cannot proceed until TDC has been given and there is no requirement for this to be given automatically. The permission in principle process does not require the decision-maker to be satisfied about all aspects of the amount of development permitted. That is because there will be no planning permission until TDC has been granted.
12. Therefore, based on the considerations in relation to the principle of development, I consider that the amount of development would be within an acceptable range having regard to the general density of development within the locality and would accord with policy H/8 of the South Cambridgeshire Local Plan (2018) which accepts that density may vary where justified by the character of the locality.

Other Matters

13. The PPG indicates that other statutory requirements may apply at the TDC stage such as those relating to listed buildings and conservation areas and therefore consideration of the proposal under policy NH/14 of the LP would apply to the TDC.

14. However, the duty in Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 (the LBCA act) including the effect on the setting of listed buildings, does apply, as a reference to permission in principle was introduced by the Housing and Planning Act 2016. Furthermore, the general duty in conservation areas under Section 72(1) applies to the exercise of any functions under the Planning Acts, which includes permission in principle.
15. Section 66 (1) of the LBCA Act requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications.
16. Paragraph 205 of the National Planning Policy Framework ('the Framework') states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.
17. I have considered the effect of the amount of development proposed on the setting of Grade I Listed The Church of St Mary and Grade II Listed 14 Church Street. Both buildings front onto Church Street and sit within the historic core of the Conservation Area. They are contained within their own grounds and landscaping. As such, even developed, the site would not have a significant impact on how the listed buildings would be appreciated from within the street scene or the elements that form its setting. I conclude that the amount of development would not result in harm to the setting of either of the listed buildings.
18. As required by the statutory duty under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have given consideration to whether the proposal would preserve or enhance the character or appearance of the Conservation Area.
19. Furthermore, Paragraph 212 of the Framework requires new development within the setting of Conservation Areas to enhance or better reveal its significance. The Framework defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced."
20. The access to the site is located within the Great Shelford Conservation Area (GSCA). Church Street is described within the Great Shelford Conservation Area Appraisal as being the oldest part of the village and the location of some of its largest and grandest buildings, including the church, old and new vicarage, former Guildhall, the Grange and Rectory Farm.
21. Great Shelford's historic development can still be read in its street patterns and buildings, with an older core around the church and later ribbon development along the edges of the former village green and the Cambridge to Saffron Walden turnpike. The historic significance of Church Street makes a positive contribution to the special attributes of the GSCA.
22. The Stapleford and Great Shelford Design Guide confirms that the appeal site forms part of a post-war development area which extends to the rear of many of the houses on the west of Great Shelford. The area's post-war characteristics are considered to be very well-defined.
23. The contribution that the entrance to the appeal site makes to the significance of the Conservation Area is to establish a clear delineation between the

Conservation Area and other areas of the village forming the wider setting. The houses set in a cul-de-sac layout to the rear of Church Street and adjacent to the appeal site are common features of the post war setting which is experienced beyond the Conservation Area. Therefore, the introduction of an additional dwelling within this setting would be neutral in its impact on the GSCA.

24. My findings in this regard are restricted to the in principle matter that is before me and further consideration of the designated heritage assets and their setting would need to be made at TDC stage noting the lack of detail available at this stage in the process.
25. Both the Council and interested parties have raised concerns regarding a number of other matters. These include access, parking and highway safety, design of the proposal, the effect on the living conditions of neighbouring properties having regard to privacy and light and the adequacy of the living conditions for future occupiers of the proposed development. I also note that the Stapleford and Great Shelford Design Guidance and Codes provides detailed guidance on some of these matters. However, these are not matters which fall within the scope of consideration for the first stage of the permission in principle consent route. These are all matters which will need to be addressed as part of the technical details consent, the second stage of the process.

Conclusion

26. For the above reasons, I therefore conclude that the appeal should be allowed.

G Pannell

INSPECTOR