



Appeal Decision

Site visit made on 4 April 2025

by **S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 08 April 2025

Appeal Ref: APP/W0530/W/24/3356674

9, The Green, Thriplow, Cambridgeshire SG8 7QX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr. and Mrs. Lindop against the decision of South Cambridgeshire District Council.
 - The application is Ref: 24/02556/FUL.
 - The development proposed is for the erection of a single storey, self-build dwelling along with use of retained access points and host dwelling as well as associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework was revised in December 2024 and amended on 7 February 2025 to correct cross references from footnotes 7 and 8, and to amend the end of the first sentence of paragraph 155 to make its intent clear. The 2025 Framework (the Framework) has not materially changed in terms of the identified main issues below and therefore, it has not been necessary for me to seek comments from the main parties.
3. Number 4 of the reasons for the refusal of the proposed development relates to ecological matters and biodiversity net gain (BNG). However, in its appeal statement, the local planning authority (LPA) states that it no longer wishes to oppose the development upon this basis, stating that *'in this instance, the LPA are happy for this reason to fall away'* and for it to rely upon reasons for refusal no's 1,2 and 3.

Main Issues

4. In the context of the above, the main issues are (i) whether the proposal preserves or enhances the character or appearance of the Thriplow Conservation Area (1975)(CA) and (ii) the impact of the proposed development upon protected trees.

Reasons

Conservation Area

5. The CA is characterised by its linear form of development along a circular pattern of roads and where development is composed of a mixture of farmsteads and dwellings. The adjoining fields about the linear development, allowing both open and wooded views from existing dwellings and spaces from within the village. These features add distinctively and positively to the significance of the CA.
6. The appeal site lies to the South side of the village green in the core of the CA. The associated dwelling forms one half of a pair of semi-detached dwellings and includes a long rear garden.
7. The proposed development is for a self-build, single storey, detached dwelling in the rear garden.
8. Its location would not enhance or protect the linear form of development which is an important characteristic of the layout of the CA. Moreover, the adverse impact upon the pattern of development in the CA would be visible from within the village itself and also from adjoining footpaths, even though such views are softened by vegetation, especially during summer months. The proposed development and the associated domestic paraphernalia would also adversely affect the current transition from built development to open countryside which the large rear garden and other similar such spaces currently provide. The harm which I have identified is a matter to which I afford very substantial weight in the decision-making process.
9. I do not consider that the adverse impact of the development would be sufficiently mitigated by the proposed design of the dwelling to overcome the adverse impact which I have identified.
10. I consider that the proposed development would constitute less than substantial harm to the CA and where, in such circumstances, the Framework requires any public benefits to be weighed against any such harm.
11. While the LPA considers that it can demonstrate a 6.5-year housing land supply for the period of 2022-2027, it concedes that it has a long-standing shortfall in the delivery of self-build and custom development within the District, and as required under the Self-build and Custom Housebuilding Act (2015). However, the LPA considers that the weight to be afforded to this by the provision of just the one dwelling should be limited.
12. If the LPA were to use such justification more generally for small scale developments, this might, if such schemes were to be aggregated, help to meet the identified shortfall. Even the one dwelling helps, as the LPA recognises. For these reasons, I consider that the proposed development would constitute a public benefit with moderate weight in the decision-making process.
13. Nevertheless, while I afford the matter moderate weight, it would not overcome the more significant weight which I attach to the harm to the CA. Therefore, I conclude that the proposed development would not accord with the South Cambridgeshire Local Plan 2018 policy HQ/1, which requires development to reflect the character of the urban and rural areas within which it is sited, or with policy H/16 which is not supportive of development in residential gardens that fail to do the same, or with

policy NH/14 and chapter 16 of the Framework which require that development sustains and enhances the distinctiveness of heritage assets.

14. *Impact on Protected Trees*

15. There is no dispute between the parties that the proposed dwelling can be constructed with an acceptable impact upon protected trees. However, the LPA considers that the proposed development would then give rise to pressure from future occupiers for the lopping or removal of trees because of overshadowing and leaf-fall in the autumn.
16. The protected trees are located mainly upon the Western part of the site. Any overshadowing of the dwelling would be most likely to be most pronounced during the summer months when the trees are in leaf but would be most likely to occur when the sun was in the West rather than for the rest of the day. Any leaf fall would be mainly limited to the autumn.
17. Such factors would limit the effect of overshadowing and leaf-fall upon future occupiers of the proposed dwelling. While I accept that there might arise such pressure to lop or remove protected trees, the LPA would retain full control over the determination of any such requests, taking account of the above considerations.
18. I have no evidence before me to indicate that the LPA would be obliged to approve such a hypothetical application and, on this basis, I have no reason to conclude that the proposed development would conflict with LP policy HQ/1 which, amongst other things, requires a high standard of design which conserves or enhances natural assets and their settings. Therefore, I afford this matter neutral weight in the decision-making process.

Conclusion

19. I have found that the proposed development would result in a public benefit in that it would help to meet a shortfall in the requirement to provide for self-build development. I have also afforded the development a neutral weight in the decision relating to any harm to the future wellbeing of protected trees. However, these matters do not outweigh my finding that the proposal would not preserve or enhance the character or appearance of the CA. I therefore conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR