



Appeal Decision

Site visit made on 1 July 2025

by **Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/W0530/D/25/3362486

Owls Barn, 24 Station Road West, Whittlesford, Cambridgeshire, CB22 4NL

- 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 Miss Jaynell Ng against the decision of South Cambridgeshire District Council.
 - The application reference is 24/04745/HFUL.
 - The development proposed is first floor rear extension, conversion of garage to bedroom, new parapet and roof covering to garage, new lean-to pergolas to front, side and rear, and new cladding to fenestration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is a discrepancy between the name of the appellant on the application form (Miss Jaynell Ng) and the appeal form (Mrs Jeann Ng). I have utilised the name from the original application form within this appeal (as have the Council).
3. The development is described by the appellant, within the application form, as per the description in the header of this decision letter. This is the basis upon which planning permission was sought, however, there are elements which are shown on the proposed plans which the Council have taken into account and utilised as a reason for refusal. Despite the above, it is evident from the documentation before me, that the proposed site plan (1340/P04) is that which all interested parties and consultees have based their representations as well as being the basis which the appellant submitted the original application upon.
4. The same plan is also that which the Council have considered the proposal as well as it being the basis upon which the appellant submits their statement of case. I have, therefore, had regard for this within the consideration of this appeal, however, my response and approach to the appellant's statement on such matters (with regard to them being permitted development) is considered in detail within the main issues below. Given this is the basis upon which the proposal was considered and consulted upon no parties are prejudiced by this despite the development description noted but there are implications arising from the discrepancies.

Main Issues

5. The main issues are the impact of the proposal upon i) the character and appearance of the host building and the surrounding area, ii) highway safety; and iii) neighbouring residential amenity with regard to overbearingness and overlooking.

Reasons

Character and appearance

6. There are several elements to the appeal proposal as set out within the development description at the start of this decision letter. The Council's first refusal reason is specific in its reference to the proposed first floor rear extension. I have, for the avoidance of doubt, focused upon this specific element in the context of the character and appearance of the host building and the surrounding area as the main reason for the first refusal set out.
7. The appeal site is a detached residential dwelling which is located in an unusually shaped plot as can be seen from the submitted plans insofar as the rear boundaries come in from their widest point, either side of the host dwelling, narrowing to a point to the rear of the property. As part of my site visit, and as acknowledged within the documentation before me, the dwellings along Station Road West are highly varied in terms of their character and appearance as well as there being evidence of varying scales of development and alteration creating an overall varied character and appearance within which the appeal site stands.
8. The proposed first floor rear extension would extend over the full extent of what is shown on the existing floor plans, as a kitchen/study. This element of the proposal, in isolation, I find would be acceptable in the context of the character and appearance of the host dwelling itself. I find that it would be located over the existing footprint of the dwelling, as a first-floor extension, and that it would visually be subservient to the host dwelling due to a clear step down from the ridge. It would result in an overall narrow two storey projection in the context of the width of the host dwelling and the existing dwelling would remain legible as a result of that extension. The first-floor extension would have notable depth, compared to the original dwelling, but it seeks to extend over the existing footprint – a shorter first floor extension would likely appear overly complicated or contrived in terms of its interaction with the existing footprint.
9. This first-floor rear extension would, within the street scene, be of limited visibility due to the presence of trees as noted in the appellant's statement. Whilst the projection would be visible in limited views over the proposed parapet wall this would not be to an extent which I find would be sufficient to refuse in terms of the surrounding area which the appeal site forms part of. I do not find that in the context of the host dwelling itself, and the surrounding character and appearance of the surrounding area, that the proposal would appear visually intrusive, incongruous or overly dominant. This element would be in very close proximity to the site boundary (which I have found unacceptable for reasons set out in the context of neighbouring residential amenity), however, in the context of the overall appeal site I do not find it would overdevelop the site.
10. In the context of the character and appearance of the host building and the surrounding area of which it forms part, I find that the first-floor rear extension would be acceptable and consistent with South Cambridgeshire Local Plan 2018 (LP) Policy HQ/1 which seeks that as appropriate to the scale and nature of the development proposals must preserve or enhance the character of the local urban area and be compatible with its location and LP policy S/7 which requires development to be of a scale, density and character appropriate to its location. The proposal would also be consistent with paragraph 135 of the National Planning

Policy Framework 2024 (the Framework) which seeks to ensure developments are sympathetic to local character confirming that development should only be refused where it is not well designed and fails to take account of local design policies and supplementary planning documents such as design guides and codes.

Highway safety

11. The development description, as outlined within the header of this decision letter, does not make reference to provision of a new vehicular access with the application forms stating that no new or altered vehicle/pedestrian access is proposed to or from the public highway as a result of the proposals. Despite this a comparison between the existing site plan (1340/P02) and the proposed site plan (1340/P04) clearly shows the provision of an additional vehicular access to the appeal site as well as hardstanding. I also note new gates/boundary treatments which have been installed at the time of my site visit.
12. As outlined the proposed driveway demonstrates a secondary access/exit point to the appeal site which does not demonstrate visibility splays between the new entrance and the public highway. The appellant makes reference to the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) Schedule 2, Part 1, Class F (hard surfaces incidental to the enjoyment of a dwelling house). Whilst an absence of a certificate of lawfulness or similar is not necessarily determinative, it is not within the scope of this appeal to determine whether or not proposals, or elements of, would fall within the scope of permitted development.
13. Whilst I noted what appeared to be an Aco drainage channel to the front of the driveway, no further details have been provided as to where this leads or, indeed, whether it is connected and a direct run-off from the hard surfacing is to a permeable or porous area or surface within the curtilage of the dwelling house. Furthermore, I am conscious, similarly to the provision of a new access, that the hard surfacing does not directly form part of the development description as part of the proposals albeit I appreciate the appellant's inclusion of reference to the GDPO in relation to the provision of the access in terms of physical works to the site.
14. In a similar manner, the gates/boundary treatment do not form part of the development description, nor are they shown, nor discussed, on any of the plans which form the basis for the appeal proposal. I do not consider, therefore, that the gates which have been erected on site could reasonably be considered to form part of the proposals that are before me. I would consider it more appropriate that the appellant seeks confirmation via a Certificate of Lawfulness for the gates which have been constructed to form the boundary between the property and the highway. It is not within the scope of this appeal to determine such matters.
15. On the basis of above I find that insufficient information has been submitted to determine that the development, as defined within the development description and on the plans which have been part of the determination, would not pose an unacceptable risk to highways safety or that, for example, such elements are in fact permitted development and the gates that have been installed do not feature in the development description nor on any of the submitted plans. The materials section of the application form also makes no reference to the boundary treatments (stating hedge to front and masonry walls to side and rear).
16. As a result of the lack of information before me, the proposal would be contrary to South Cambridgeshire Local Plan 2018 Policy HQ/1 which seeks to achieve ease

of movement and access for all users and abilities, safe and convenient access for all users and ensure car parking is integrated and does not cause safety issues. The proposal would also be contrary to LP Policy TI/3 which requires car parking provision to be provided through a design led approach and paragraph 116 of the Framework which confirms that development should be prevented or refused on highway grounds if there would be unacceptable impact on highway safety.

17. As set out, in the absence of full information and the notable discrepancies as to the proposals and the development description, I have insufficient information to confirm that the proposal is acceptable in terms of off-street vehicle parking and access to the site in terms of highway safety. Even if I had agreed with the appellant with regards to the new access and whether or not the road is classified or unclassified, the appeal would have failed due to the issues I have identified in the context of the other main issues which formed the reasons for refusal.

Neighbouring residential amenity

18. As can be seen, from the submitted plans, it is appreciated that the appeal site has an unusual, shaped boundary which effectively sees part of 26 Station Road West (no. 26)/the shared boundary running at an angle behind the rear elevation of the host dwelling. As a result of this I find the appeal site to be sensitively located and thus sensitive to change in the context of impact to no. 26 as well as the fact that the front elevation of no. 26 is, essentially, located to the rear of the appeal site further exacerbating potential impacts.
19. I acknowledge that the principle of a parapet wall may be acceptable and that the Council's Residential Design Guide Supplementary Planning Document 2012 (SPD) may well be silent on parapet walls. In the absence of specific guidance, I agree that proposals should be assessed on their own individual merits, however, good design is a key element of sustainable development and in this case, I do not find that the proposal is appropriately or well designed in the context of neighbouring amenity and does not represent sustainable development. I find that the parapet would be excessive in terms of scale, mass and form which is sufficient to have a detrimental impact on the neighbouring dwelling at no. 26 with regard to overbearing impact due to the staggered boundary line on the front elevation of the dwellings across Station Road West.
20. The appellant's statement is noted to consider the proposal in the context of its orientation, overshadowing and loss of direct sunlight as well as a consideration as to habitable rooms and outlook. The Council's refusal reason is specific to overbearing impact and does not raise any issues with regard to loss of light or sunlight and I have no reason to consider differently on these elements which are separate to overbearing impact. It does not fall to solely assess the impact on neighbouring amenity from within the property itself – there is also a requirement to consider the impact upon the amenity of neighbouring occupants from within private amenity space adjacent to the appeal site as is the case with this proposal.
21. For the reasons set out I cannot therefore reasonably conclude or agree that the proposal would have a minimal impact upon the amenity of the neighbouring property. I note that no. 26 does not have habitable rooms in close proximity to the parapet wall as a result of the front door, and two small windows, serving a hallway being located closest to the parapet wall. I do not find, therefore, that the parapet wall would cause unacceptable impact from within the property itself, but it would

result in an overbearing, unneighbourly, impact on the driveway notable on the approach to the property visually enclosing the driveway at closer proximity than the bulk and massing of the host dwelling itself.

22. At the time of my site visit I also entered the adjacent property, no. 26. The area immediately adjacent to the appeal site boundary appeared to be utilised by neighbouring occupiers as a seating area as demonstrated by the presence of tables, chairs and umbrellas. When stood in this general area, to the side of no. 26, I found the proximity of the proposal to the boundary, noted to be partly constructed, is notable. I find that the proposal would be visually dominant and overbearing when viewed from within the neighbouring properties amenity space to the side of the property. The first-floor rear extension, which would extend the full extent of the kitchen/study below, further contributes to a scale, mass and overall design which results in an overbearing presence to adjacent occupiers. Whilst the Council's third refusal reason is stated to relate to the parapet wall, I also find that the first-floor rear extension would be unacceptable in the context of neighbouring residential amenity with regard to unneighbourly overbearing impact.
23. I note the appellant outlines that under permitted development a pitched roof of up to four metres in height could be constructed as a fallback position. Whilst I acknowledge this potential, uncertified, fallback position I attribute this limited weight. The proposal, as submitted, I find to result in an overall unacceptable development which would be detrimental to neighbouring residential amenity for the reasons set out. Even if I had placed strong weight on the stated fallback position to justify or support the proposed parapet wall the proposal would still fail, in the context of neighbouring residential amenity, as a result of the first-floor rear extension for the reasons set out. The latter would be exacerbated by the proposed dark cladding.
24. Overall, I find that the proposed parapet wall, by virtue of its height, orientation, bulk and location forward of the neighbours front building line combined with the close proximity to the site boundary would result in an unneighbourly overbearing impact which is sufficient to warrant refusal with regard to no. 26. I also find that the first-floor rear extension would be visually dominant and overbearing when viewed from within the neighbouring properties amenity space to the side of the property. There is a discrepancy between the floor plans and elevations which have been submitted insofar as the proposed elevations demonstrate a window on the first floor/wardrobe/bedroom in the side elevation which is not replicated within the proposed floor plans. The presence of such a window would also allow an unacceptable level of overlooking into the neighbouring amenity space.
25. The proposal would be contrary to LP Policy HQ/1 which requires new development must be of high-quality design and protect the health and amenity of occupiers and surrounding uses from overbearing impacts and LP Policy S/7 which requires development to be of a scale appropriate to the location (in this case the issue being the proximity to the shared boundary and impact on amenity, not the wider/surrounding site as per the first main issue) and consistent with other policies in the LP.
26. The proposal would also be contrary to paragraph 135 of the Framework which seeks to ensure that developments create places with a high standard of amenity for existing and future users.

Other Matters

27. There are a number of objections to the proposal. I have, however, dealt with the matters raised within those within the main body of this decision letter above.

Conclusion

28. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR