



Appeal Decision

Site visit made on 22 July 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/W0530/W/25/3362849

9 Toft Lane, Great Wilbraham, CB21 5JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jon Garner against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/03963/FUL.
 - The development proposed is the change of use of an annex to no.9 Toft Lane to a separate dwelling. Additional works to the building and site including new boundaries, removal of a rear French patio door and replacement with a window and a new rooflight.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: i) the effects of the proposed development on the living conditions of neighbours at No. 7 Toft Lane due to increased vehicle activity; ii) whether the proposed dwelling would provide adequate living conditions for future occupiers.

Reasons

3. Toft Lane is situated in Great Wilbraham which is designated as a Group Village in the South Cambridgeshire Local Plan (SCLP). Toft Lane is a single track cul-de-sac that runs into the countryside off of Church Street, having residential development mainly on the south side. There is a Grade II listed building at No.13, but the intervening space means that the appeal proposal would not be harmful to its setting.
4. The appeal building is an annexe to No.9 Toft Lane within its front garden. The annexe is a single-storey, gable roofed building, with weatherboarding finish and concrete plain tile roof. There would be very little change to both the interior and the exterior of the building, such change mainly confined to additional fencing.

Effects of the proposed development on the living conditions of neighbours at No. 7 Toft Lane due to increased vehicle activity

5. No.7 is set back from the lane, in line with the host dwelling at No.9. It has a reasonably wide frontage, partly behind the car parking area utilised as parking space for No.9. This frontage to No.7 has a cartlodge set just forward of the house, on the boundary with No.5, with the remainder of the area having a gravel surface used for access and parking.

6. The drawings of the appeal scheme show the existing and proposed use of the land of the host dwelling, that is situated alongside the front of the manoeuvring/parking area of No.7, remaining in its present use. That use is for the parking of up to 4 cars. The appeal proposal would add 2 parking spaces, in tandem, just behind the carriageway and beyond the 4-car space, close to the annexe building. In these circumstances, I am not satisfied that there would be any substantial impact on the living conditions of neighbours at No. 7 Toft Lane due to increased vehicle activity, sufficient to warrant the refusal of permission.

Whether the proposed dwelling would provide adequate living conditions for future occupiers

7. In respect of this issue, the appellant argues that the proposal is a conversion and should not be judged against policies related to new build properties, and that all the requirements for living, such as bedroom and bathroom space as well as kitchen/dining area are present. In fact, the proposal is not a conversion, but a change of use. I consider that there is a material difference between an annexe to a house, where the occupiers have a relationship with the host dwelling and will rely to a degree on the amenities provided by that dwelling, and a building which is used as a standalone dwelling, with the occupant relying solely on the internal and external facilities for satisfactory living conditions. Therefore the policies put forward by the council are appropriate for this proposal for a new dwellinghouse.
8. Policy H/12 of SCLP requires new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015). For a 1 bedroom, 1 person¹ dwelling of a single storey, the size requirement is 50m², whereas the size of the annexe is 33.3m². This is a serious shortfall, a third of the described space standard, so that Policy H/12 is not met. In addition, the bedroom would not have an outlook through the window so that it would have a very enclosed atmosphere.
9. Turning to the external areas, the District Design Guide Supplementary Planning Document (SPD) indicates that one-bedroom houses should have private garden space of 40m² in urban settings, whilst the proposed amenity space is approximately 24m². This is little more than half of the requirement, and in addition is not of a size and shape to allow effective use for general amenity, growing plants, etc and does not provide a private sitting out area close to internal living accommodation. Furthermore, the amenity space is not placed away from public areas and would not have a safe and secure feeling as a private garden should.
10. Again the appellant relies on the fact that the outdoor amenity space would remain as existing, but the existing is an annexe and not a building for use as someone's private dwelling. It is also said that outdoor space faces the lane, which is rural in nature with infrequent movements, and additionally there would be access to good quality public open space to the northeast of the site, as well as access to the wider countryside given its edge of village location. These last points carry some weight, but I consider that there should be on-site provision that is of a better quality than the proposal would provide.

¹ I note that the proposed internal layout, drawing No. 24033wd2.01, appears to show a double bed.

11. I also understand the reason that the design and positioning of the bedroom is as proposed, which is to seek a compatible relationship with No.9, but this is an indication that the existing annexe and the ground it stands on is not suitable for the change of use sought.

Conclusion

12. For the reasons that I have set out above, the proposal is contrary to policies S/7, HQ/1 and H/12 of the SCLP and the SPD, and there are no material considerations that would outweigh these matters. Therefore the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR