



Appeal Decision

Site visit made on 8 September 2025

by Jonathan Price BA(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Appeal Ref: APP/E0535/W/25/3368381

8A Fen End, Over, Cambridge CB24 5NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mrs Emma Baker against the decision of South Cambridgeshire District Council.
 - The application Ref 23/01584/CONDC sought approval of details pursuant to condition No 17 of a planning permission Ref 23/01584/FUL, granted on 30 June 2023.
 - The application was refused by notice dated 30 May 2025.
 - The development proposed is 1 No. dwelling with associated amenity space and parking.
 - The details for which approval is sought are gallery window and external shutters and door.
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Decision

1. The appeal is allowed and the details pursuant to Condition No. 17 attached to planning permission ref 23/01584/FUL granted on 30 June 2023, as submitted in application Ref 23/01584/CONDC dated 8 May 2025, are hereby approved.

Background and Main Issue

2. The details are those required under Condition 17, which applies to full planning permission granted for a single, detached house. This states that the development shall not be occupied, until details of the gallery window and external shutters and door to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. It concludes that the development shall be carried out in accordance with the approved details.
3. The reason given for condition 17 is to ensure the external appearance of the development does not detract from the character and appearance of the area and the amenity of neighbouring occupiers is protected in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 (Policy HQ/1). This requires all new development to be of a high quality design and sets out a series of principles that must be met, appropriate to the scale and nature of the proposal.
4. The Council refused to approve the details submitted for two reasons. Firstly, that the proposed external shutters were not considered to be in keeping with the setting of the host building or the wider character and appearance of the area, causing harm and conflicting with Policy HQ/1. Secondly, that insufficient information had been provided regarding the gallery window and external shutters/door and as such it was not possible to assess its impact on the character and appearance of the area or the immediate setting of the building, in further conflict with Policy HQ/1.

5. The main issue in the appeal is whether the details are sufficient to ensure the dwelling would not detract from the character and appearance of the area or the living conditions of neighbouring occupiers, with particular regard to the privacy of occupiers at No 8.

Reasons

6. The dwelling is to the rear of the bungalow at No 8 and its design reflects that of a now demolished barn which once occupied this position. This includes in respect of its approximate scale and dimensions, a full height front opening replicating the barn's cart entrance and the re-use of salvaged materials.
7. The design and access statement¹ had stated that the proposed dwelling would not result in any overlooking of the existing property at No 8 as the windows proposed at ground and first floor, including the gallery windows, do not serve habitable rooms. It referred to the gallery windows having metal roller shutters that can be closed at night to protect privacy and limit light emission.
8. The Council's report on the original application had noted that the proposed dwelling would benefit from a large, glazed area at the front which would be screened by metal shutters which would restrict views out towards the adjacent neighbour. This noted that limited detail had been provided of the metal shutters and folding door and there was concern that should these be openable, this would allow views and provide a degree of overlooking directly into the rear of No 8 and its garden. The Council therefore found it necessary to add a condition requiring further details of the gallery window and the external metal shutter/folding doors to be submitted in order to ensure that there is no loss of privacy or overlooking issues to this adjacent neighbour.
9. Metal shutters are clearly indicated on the approved drawing² to be openable sideways in a concertina style, folding arrangement. However, condition 17 reserves detailed approval of these. The details submitted to discharge condition 17 comprise a written description and specifications of external aluminium Venetian blinds, accompanied by indicative photographs. The Council considers this an inadequate level of detail and not what had been required in earlier dialogue. The proposed moveable louvre, such as electric shutters/blinds, would in the Council's view be insufficient to prevent overlooking of No 8, where a more permanent solution, less easily raised would be required. The Council also considers the proposed external Venetian blinds would detract from the character and appearance of the dwelling and its surroundings.
10. The development appeared largely complete when my visit took place. The degree of overlooking from the new house, which would be mainly from the first floor, is limited by this area being circulation space rather than a permanently habitable room. The greatest degree of intervisibility between the two properties would be during hours of darkness and when room lights were on. The proposed shutters could be closed at night to adequately secure privacy and limit light emission. Their simple, functional design would not detract materially from the character and appearance of the new house or its surroundings.

¹ Carter Jonas April 2023

² Drawing no. 023009-P02

11. Regarding the details of the gallery window itself, this is in place and of the anthracite grey frames and clear glazing described in the submitted details. I find this to be entirely acceptable. The door is also in place and of an unremarkable and equally acceptable character.

Conclusion

12. Overall, the details submitted would not detract from the character and appearance of the area or the living conditions of neighbouring occupiers, with particular regard to the privacy of occupiers at No 8. These details would be sufficient to comply with Policy HQ/1 and meet the requirements of condition 17. For the reasons explained, I conclude the appeal succeeds.

Jonathan Price

INSPECTOR