
Appeal Decision

Site visit made on 4 December 2019

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 January 2020

Appeal Ref: APP/W0530/W/19/3227137

The Barn, Church Lane, Comberton, Cambridge, CB23 7ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development)(England) Development Order 2015 (the GPDO).
 - The appeal is made by Mike and Sarah Tebbit against the decision of South Cambridgeshire District Council.
 - The application Ref S/0122/19/PA, dated 8 January 2019, was refused by notice dated 18 March 2019.
 - The development proposed is a change of use from an agricultural building to five dwellinghouses and associated operational development.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mike and Sarah Tebbit against South Cambridgeshire District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO) require the Local Planning Authority (LPA) to assess the proposed development solely on the basis of its impact in terms of transport and highways, noise, contamination, flooding, whether the location or siting of the building makes it otherwise impractical or undesirable for the change of use from agricultural to a dwellinghouse (Use Class C3), and the design and external appearance of the building.
4. The appeal site lies adjacent to the Grade I listed St Mary's Church, the Grade II* listed Glebe Cottage, and the Grade II listed The Cottage and Church Farmhouse. It also lies adjacent to the St Mary's Comberton Conservation Area. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require 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. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area.

5. The appeal site lies within green belt. The Council have raised no concerns in this regard, and consider that the change of use would comprise one of the categories of development considered to be "not inappropriate" in the National Planning Policy Framework (the Framework). I see no reason to dispute this view.

Main Issue

6. Accordingly, the main issue for the appeal is whether the siting and location of the proposal would be acceptable, having regard to the desirability of protecting setting of the Grade I listed St Mary's Church, the setting of the Grade II* listed Glebe Cottage, the setting of the Grade II listed The Cottage, the setting of the Grade II listed Church Farmhouse and the setting of the St Mary's Comberton Conservation Area.

Reasons

7. St Mary's Church is a Grade I listed building. Parts of the building date from the 13th, 14th and 15th Centuries. The 3 stage tower is visible in long ranging views into the site and the surrounding churchyard provides space in which the well proportioned side and rear elevations can be appreciated. The significance of the asset is derived from the antiquity of parts of the structure and in the its status as a well preserved example of ecclesiastical architecture of its type. The church is on higher ground than the surrounding village and along with the small cluster of buildings around it forms an important historic group, separate from the wider settlement, and this forms the St Marys Comberton Conservation Area.
8. The cluster sits within open fields. Although some modern buildings are visible within the Church's immediate setting, the perception of open countryside around the Church is maintained by the agricultural character of the fields around it and these provide an important component of the Church's setting as they are indicative of the rural origins of the settlement.
9. Church Farm House, a grade II listed building, lies to the north of the church. It sits within a group of now mostly converted farm buildings which visually separates the asset from the Churchyard and the appeal site. The Cottage is a grade II listed building. Glebe Cottage is a Grade II*. Both sit to the south of Church Lane and are located at a lower level and almost entirely enclosed by mature planting which provides an established screen around the domestic setting of both assets. Therefore, although the wider rural landscape forms part of the setting of all three assets, their significance is largely derived from their status as surviving examples of vernacular buildings of their type.
10. The appeal building is a large modern metal framed barn, clad in a mix of corrugated cladding. It sits within open fields immediately adjacent to the Churchyard to St Mary's. Due to its scale it is prominently visible in views from the Churchyard and across the fields from the north, as a utilitarian agricultural structure, of a type which is commonplace in rural landscapes. In this regard, although is not surrounded by other agricultural buildings, as it has a conventional agricultural appearance, it is relatively comfortably assimilated within the field scape and does not appear incongruous or out of character.
11. The proposal comprises the change of use of the structure, with the introduction of windows and doors on all four facades. The building is relatively large, and

the plans show the space comfortably accommodating 5 self-contained residential units. To facilitate this the gabled ends would include double height windows to serve the upper floor, which would extend into the eaves. The exterior of the building would also be clad in wood with a rendered base. Due to the scale of the building, and the changes proposed, the resulting building would have the appearance of a contemporary residential block. The proposed parking and delineation of external spaces would also change the nature of the surrounding space and how the building within it was perceived. The character of the building and the land around it would thus be altered from that of agricultural hinterland, to that of a block of densely configured residential dwellings and would lose its existing agricultural character.

12. The building, and the space around it forms part of the setting of the Church of St Mary's, and to a lesser degree, the Comberton Conservation Area. Although the barn intrudes on the open fieldscape which forms part of that setting, and which contributes to the significance of these assets, due to its appearance as a conventional agricultural structure, it causes only limited harm to this aspect of the setting of these assets. In contrast, the urbanisation of the site which would result from the proposed development, would lead to a significant erosion of the agricultural setting of the assets, and as such, would be more harmful to the significance of those assets. Due to the level of development proposed, with 5 dwellings within the tightly drawn plot, the resulting scheme would also be much more intensive than that currently in evidence in the immediate area, and would be at odds with the more sporadic and loosely knit character of existing development in and around the Church.
13. The building would be clearly apparent in views from the Church across the churchyard where the building would be notably visible above the existing hedge. In this view the visual connection with the surrounding agricultural hinterland would be degraded. In views of the Church from the north across open fields the building would similarly intrude on the setting of the assets. Although there is no public right of way across this section of farmland and it is not a principal view of the Church, the visual impact would nonetheless be severe as the intensely developed and contemporary form of the building would erode the rural setting of the Church. This effect would not be offset by the presence of the existing children's barn, which is small in scale and so sits comfortably in its context. As the existing rural setting of the Church and to a lesser extent the Conservation Area contributes to their significance, it follows that the proposal would harm their significance. I am however satisfied that the proposal would have a neutral impact on the enclosed setting of the other assets.
14. The harm identified would amount to "less than substantial harm" which the National Planning Policy Framework (the Framework) advises must be weighed against the public benefits of the scheme. The proposal would provide 5 dwellings, which would be energy efficient and sustainably constructed. The dwellings would contribute to wider housing supply and this benefit carries significant weight. The additional households would assist in sustaining local services and I attribute limited weight to this benefit in line with the scale of development. The development would also provide an economic benefit during the construction phase, and could potentially employ local businesses during construction, and I also attribute this benefit some limited weight.

15. However, the Framework also requires that great weight should be given to the asset's conservation and that the more important the asset, the greater the weight should be, irrespective of whether the harm amounts to substantial or less than substantial harm. Taking into account the importance of St Mary's Church, as a Grade I listed building, and the extent to which its setting would be harmed, I attribute greater weight to the harm that would arise to heritage assets in this case. The harm that would arise would not therefore be outweighed by the public benefits of the scheme. The absence of harm to other identified heritage assets is a neutral factor which does not weigh in favour of the scheme.
16. The appellant has referred to other prior approvals at nearby Church Farm. Whatever the merits or history of this development, I do not consider it would negate the harm that would arise in this case.
17. I take account of the fact that Planning Practice Guidance (PPG), advises that local planning authorities should start from the premise that the Permitted Development right grants planning permission, subject to the prior approval requirements. As physical changes to the building to facilitate such development are also permitted, I accept that it can reasonably be expected that some degree of change to the character of the property and its immediate environs might also be expected as a consequence, and that change in itself would not be sufficient justification for withholding prior approval.
18. However, the statutory duty within the Act directs that decision makers should have special regard to the desirability of preserving a listed building or its setting, and to preserving or enhancing the character and appearance of Conservation Areas. Part Q also allows decision makers to consider whether the location of the development would make it undesirable for the building to change from agricultural use in this case. I am therefore of the view that given the proposal would lead to harm, and that the harm would be an undesirable aspect of the development, which could not be mitigated, the provisions of Part Q do not diminish the weight to be attributed to harm to heritage assets in this case.
19. A number of residents have raised other matters relating to the proposal, however, given my concerns in relation to the effects of the proposal on heritage assets, these do not alter my reasoning outlined above. Accordingly, the proposal would not meet the provision of part Q.2(1)(e) of the GDPO and having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR