



Appeal Decision

Site visit made on 23 June 2020

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 16 July 2020

Appeal Ref: APP/W0530/W/20/3247548

Greenfields, The Old Barn, Heath Road, Gamlingay SG19 2JD

- 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 Andrew Trye and Scott Izzard against the decision of South Cambridgeshire District Council.
 - The application Ref S/3088/19/FL, dated 6 September 2019, was refused by notice dated 1 November 2019.
 - The development proposed is the demolition of the existing barn and construction of a new 4-bedroom house, layout of parking and bin storage areas, enclosure of garden and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the principle of the development; and
 - the effect of the proposal on the character and appearance of the area.
3. A further reason for refusal was that in the absence of ecological information the existing barn may provide a habitat for protected species. The appellant responded to this with a report at appeal stage which the Council considered inconclusive. A further report dated June 2020 concludes that bats are absent from the barn and no further assessment of barn owls is required. However, this report was only submitted at final comments stage and no response has been received from the Council. Given the conclusions of the report this does not warrant main issue status and, if relevant, it would seem that the matter could be addressed by imposing suitable conditions. In any event, given the decision in this case the position of the Council is not prejudiced.

Reasons

Principle of development

4. The appeal site is located on the southern side of Heath Road about 800 m west of the main built up area of Gamlingay and well outside the 'development framework' of the village defined by the South Cambridgeshire Local Plan 2018 (SCLP). As such Policy S/7 of the SCLP applies, which restricts development outside development frameworks to that which requires a countryside location, is supported by other policies in the plan or allocated in a neighbourhood plan,

none of which apply in this case. The proposal is not the re-use of a building in the countryside under Policy H/17 and in the absence of an existing dwelling cannot be considered as a replacement dwelling under Policy H/14.

5. The appellant does not argue that Policy S/7 is out of date, rather that the principle of a dwelling has been established by the prior approval which was granted for the change of use of the barn on the site to residential purposes in March 2018 (Reference S/0332/18/PA). This represents a potential fallback position and is a material consideration to be taken into account, but does not amount to an unfettered outline planning permission for a dwelling. Rather the fallback position is for the change of use of the existing building to provide a one-bedroom unit with relatively limited accommodation and a modest garden¹. There is no evidence that the prior approval scheme is certain to be implemented in this case, but in an attractive rural location with significant housing pressure it is likely to be.
6. To conclude, the principle of the development conflicts with SCLP Policy S/7 but the prior approval for the change of use of the existing barn to residential use is likely to be implemented and this is a material consideration.

Character and appearance

7. The site lies within the Great Heath area as defined by the Gamlingay Village Design Guide adopted in January 2020. This is described as an important landscape element, previously heathland but now predominantly arable, albeit parts are characterised by an eclectic mix of low-density housing, market gardens, small farmsteads and light industry.
8. Indeed, as apparent from the site visit, there are a number of commercial uses and several dwellings scattered amongst the agricultural land along the 2 km or so length of Heath Road to the west of the village. The houses are mostly set back from the road in substantial plots but some are on the road frontage including a Victorian terrace and pair of semi-detached houses some distance to the west of the appeal site and a traditional red brick two storey dwelling opposite. However, the great majority of Heath Road is undeveloped with open fields on both sides and it retains an overall rural character enhanced by wide grass verges with trees and hedges along the roadside.
9. The existing barn, sited close to the road and in one corner of an open field, is a simple rectangular brick and slate building with pitched roof, distinctive 'hit and miss' brickwork panels on the sides and a single entrance door facing the field. It is rustic in character and not out of place in its rural setting.
10. The prior approval scheme is necessarily contained within the building envelope and would comprise a one bedroom dwelling with a single sitting/dining/kitchen living space on the ground floor. Several new wall and roof window openings would be created with floor to roof glazing on the east elevation and entrance door as now. Many of the brickwork panels would be retained. The dwelling would have a small garden on its south side, away from the road. Overall the scheme would retain much of the character of the existing building and would be relatively unobtrusive in its rural setting.
11. In marked contrast, the appeal proposal is for a new, significantly larger four bedroom house set in a substantial garden subdivided from the remainder of

¹ Class A permitted development rights to extend a dwelling do not apply if approval was granted under Class Q.

the field. The new house would be nearly twice the width of the existing barn with a projecting rear wing, overall providing nearly four times the amount of floorspace, 159 m² compared to just 43.25 m² for the conversion scheme. Although intended to appear traditional with simple frontage and pitched roof, central chimneystack, reused brickwork, sash windows, dentil eaves and gable features, this would not mitigate the greatly increased bulk of the building which would harm the character of the rural area. The attempt to disguise the new house as two workers cottages is misguided and unlikely to be successful with a single front garden, infrequently used front doors and the main entrance to the rear giving the conceit away.

12. The impact of the larger garden would be particularly pronounced, extending along the road well to both sides of the new property and with frontage onto the public right of way along the track to the east. It would encroach much further into the field than the modest garden discreetly located behind the conversion scheme. According to the Council, the curtilage would be about 890 m² in area, over twelve times larger than the 69 m² or so curtilage under the prior approval scheme. The resulting change of character of part of the open field to a large residential garden with parking space for three cars, bike and bin storage, lawn, flower beds and other domestic paraphernalia would be unduly harmful to the rural landscape.
13. The appeal site is in a prominent position on the roadside with a right of way along the track to the east offering open views for those approaching from the south. The barn is a well-established, vernacular building and the approved scheme with a small curtilage would retain much of its character. By contrast, the proposal would introduce an intrusive large house set in an extensive plot. Whilst not a designated landscape and notwithstanding other built development in the area, Great Heath is locally valued countryside and the proposal would amount to a significant erosion of its character and appearance.
14. For these reasons the proposal would significantly harm the character and appearance of the area in conflict with SCLP Policies NH/2 and HQ/1. These require development to respect and retain or enhance the local character and distinctiveness of the local landscape, and to be of high-quality design that preserves or enhances the character of the local area and responds to its context in the wider landscape.

Conclusion

15. The proposal would provide high quality four-bedroom accommodation to modern space and construction standards and an attractive dwelling for family occupation. It would also have economic and biodiversity benefits. However, it would conflict with development plan policy and be harmful to the character and appearance of the area. The prior approval scheme would provide a small unit of accommodation but these are also much needed and the scheme would not be undesirable in itself. Consequently, the fallback position and other material considerations do not outweigh the provisions of the development plan in this case. The appeal should therefore be dismissed.

David Reed

INSPECTOR