



Appeal Decision

Site visit made on 21 September 2020

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Thursday, 08 October 2020

Appeal Ref: APP/W0530/W/20/3254902

10 Church Lane, Madingley CB23 8AF

- 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 Mr M Robinson against the decision of South Cambridgeshire District Council.
 - The application Ref: S/3717/19/FL, dated 30 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is the erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Madingley Conservation Area.

Reasons

3. The appeal site is located within the Madingley Conservation Area (the CA). It covers much of Madingley including Madingley Hall and land that is or was historically associated with it together with three groups of dwellings and farmsteads that appear to have formed part of the Madingley Hall Estate. Albeit the Council have not prepared a conservation area appraisal, the area is characterised by relatively generous spacing in between dwellings and other built form. This gives the area a spacious and pleasant semi-rural character. The appeal site shares this key characteristic. It provides separation and an important visual break between No 10 Church Lane and its neighbouring dwelling. As such, it therefore makes a positive contribution to the historic character of the CA.
4. The appeal site comprises an area of sloping garden to the side of No 10 Church Lane. The proposal would introduce a modest sized detached one and a half storey dwelling. This would visually subdivide the plot into two smaller plots. Furthermore, by reason of the constrained size of the appeal site, the remaining unbuilt space between the proposed and existing dwellings would be limited and significantly smaller than typical separation distances. The proposal would therefore appear unduly cramped. It would be completely at odds with the historic pattern of development in this area and the degree of spatial separation would be harmfully eroded as a consequence.
5. I accept that wider views would be largely unaffected by the proposed development given the topography of the land and the fairly low-level nature of

the dwelling. Nevertheless, the new dwelling would be visible from adjacent dwellings, their parking and garden areas together with public views from the highway from where it would be read as a strident and discordant addition to the streetscene.

6. I have had regard to the limited gap between dwellings at The Former Woodyard. However, to my mind, this is an anomaly to the prevailing pattern of development and does not justify the proposed development.
7. I note that the appeal proposal has sought to overcome concerns following a previous appeal decision¹. Although the proposal seeks to reflect the scale and architecture of existing dwellings within the locality, this would not overcome the harm I have identified above.
8. For these reasons, the proposal would neither preserve nor enhance the character or appearance of the CA. It would conflict with Policy NH/14 of the South Cambridgeshire Local Plan (2018) insofar as it requires new development to sustain and enhance the significance of heritage assets.
9. I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. In terms of paragraph 196 of the National Planning Policy Framework (the Framework), I consider the harm to the CA would amount to 'less than substantial harm'. The Framework requires consideration of the harm to be weighed against the public benefits of the proposal.
10. There would be a benefit to local housing supply and employment with the creation of an additional dwelling. Future occupants would be likely to utilise local services and facilities and would therefore contribute to the vitality and vibrancy of Madingley. The availability of public transport would avoid undue reliance on the use of a private motor vehicle. However, I find these benefits to be modest given the small scale of the development. Overall, the harm to the CA would clearly outweigh the benefits of the proposal.

Other Matters

11. Given my findings above, it cannot be said that the proposal satisfies the aims of paragraph 200 of the Framework which is supportive of development within CAs that enhance or better reveal the significance of the heritage asset.

Conclusion

12. For the reasons given above and having had regard to all matters raised, the appeal is dismissed.

E Brownless

INSPECTOR

¹ APP/W0530/A/01/1065335