



Appeal Decision

Site visit made on 5 January 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 26 January 2021

Appeal Ref: APP/W0530/W/20/3260105

26 South End, Bassingbourn cum Kneesworth SG8 5NJ

- 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 Woodoak Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref: 20/02094/FUL, dated 16 April 2020, was refused by notice dated 30 July 2020.
 - The development proposed is the construction of one 1/2 storey detached dwelling on vacant piece of land, formally used by 26 South End, Bassingbourn and adjacent to neighbouring application S/2785/18/VC.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development upon the character and appearance of the Conservation Area;
 - the effect of the development upon the setting of the adjacent Listed Building; and
 - whether appropriate living conditions would be provided for the future occupiers of the development.

Reasons

Effect on the character and appearance of the Conservation Area

3. The appeal site is located within the Conservation Area (the CA). The significance of this, in so far as it relates to this appeal, is derived from the presence of traditionally designed buildings that are constructed to different designs and proportions. In addition, there are numerous gaps between buildings with landscaping. This means that this area of the settlement has a predominately open character that is complementary to the settlement's wider more rural surroundings.
4. The proposed development would increase the level of built form within the vicinity and would therefore result in a loss of the open space that currently characterises the appearance of the site. Whilst the appeal site features some trees, views of the proposed development would be possible through gaps in

the trees and from the adjacent service road that would serve a development being constructed to the rear of the site.

5. In addition, the proposed dwelling would be visible from sections of South End as well as the recreation ground on the opposite side of the road. This would mean that, in conjunction with other dwellings within the vicinity, buildings would occur on a more frequent basis, which would result in a more urbanised appearance.
6. This would therefore erode the more open character that is a feature of the vicinity of the surrounding area, by reason of the increase in built form. In consequence, the proposed development, in conjunction with other buildings would erode the existing character of the CA.
7. The proposed development would be on a piece of the site that has previously not been developed and has not been included in the development currently under construction to the rear of the site. However, this space contributes to the general open and verdant character of the CA. In consequence, its development would be injurious to the character and appearance of the CA.
8. Whilst I acknowledge that the proposed development would be constructed from materials that are complimentary to the surrounding area and features some traditional design elements. However, given that the proposed development would result in a greater level of built form and an erosion of the more open character that is a feature of the CA, this would not overcome my previous concerns.
9. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the CA. The development, in this regard, would conflict with Policy NH/14 of the South Cambridgeshire Local Plan (2014) (the Local Plan). This, amongst other matters, seeks to ensure that new buildings sustain and enhance the significance of heritage assets and create new high-quality environments.

Effect on the setting of the Listed Building

10. The appeal site is adjacent to a Grade II Listed United Reform Church (the URC). The significance of this building, in so far as it relates this appeal, is derived from its relatively modest architecture and limited proportions. Owing to this, the presence of open space around the building allows its form to be readily appreciated irrespective of the presence of larger buildings within the wider surrounding area. The building's setting therefore contributes to its significance.
11. Whilst the proposed dwelling would have its first-floor rooms within the roof space, it would still have a substantially greater height than the URC. Owing to this difference in height and the positioning of the proposed development, the proposal would erode the setting of the Listed Building.
12. This is because the proposal would have a significant enclosing effect and would erode the more open character that currently surrounds the URC and would prevent the traditional and relatively modest proportions from being readily understood due to the substantial contrast between the listed building and the more bulky dwelling that would be in close proximity to it.

13. I also note that an entrance to the URC is located on the side elevation that faces the appeal site. In result, the conflicting relationship between the URC and the proposed dwelling would be readily apparent and has the potential to be experienced by a notable number of people. This would exacerbate the adverse effects arising from the proposed development.
14. Whilst I am aware that permission has been granted for a larger residential development in proximity to the appeal site, however, these dwellings would be a greater distance away from the Listed Building than the proposed dwelling before me. In consequence, they would not have the same effect on the setting of the Listed Building and therefore they do not offset my previous concerns.
15. I therefore conclude that the proposed development would have an adverse effect upon the setting of the Listed Building. The development, in this regard, would conflict with Policy NH/14 of the Local Plan. This, amongst other matters, seeks to ensure that new developments sustain and enhance the significance of heritage assets, including their settings.

Living conditions

16. The proposed dwelling would be located adjacent to a line of trees that are next to the road. These trees are the subject of a tree preservation order (TPO). By reason of the prominence of these trees, they make a significant contribution to the character and appearance of the surrounding area.
17. These trees are relatively large in height and in the size of the canopy, however, they would be separated from the front elevation of the proposed dwelling by reason of there being some proposed lawn and a driveway. This creates some space between the trees and the front elevation windows of the proposed dwelling.
18. The layout of the proposed dwelling would feature two rooms on the ground floor that would face the protected trees. Of these rooms, one would feature a window on the rear elevation window. In consequence, this room would experience appropriate levels of outlook. Whilst the other room (a dining room) would only feature one window, the room would still experience some outlook by reason of its position relative to the trees.
19. Of the first floor windows, one relates to a hallway and, in consequence, the level of outlook available within this space would not have a significant effect on the overall living conditions of the occupiers given that the window would serve a transitional space for residents. The other two rooms would serve bedrooms. As these would be utilised as part of a dwelling, the amount of time that residents would spend in these rooms would be limited to a degree.
20. In addition, these bedrooms would experience some outlook by reason of their positioning in respect of the trees, such as through gaps in the tree canopy. In result, residents of the development would experience appropriate living conditions, irrespective of the positioning of the trees in respect of the proposed dwelling.
21. Furthermore, the trees to the front of the site are within the CA and are the subject of a TPO. In consequence, there is an additional process by which the Council might assess potential future works to the trees. In addition, had I been minded to allow the appeal, I could have imposed conditions to ensure

that the development process would not have impinged upon these trees and for an appropriate landscaping scheme to be implemented.

22. I therefore conclude that the proposed development would secure appropriate living conditions for the future occupiers of the development. The development, in this regard, would be in conformity with Policy HQ/1 of the Local Plan. This, amongst other matters, seeks to ensure that new developments conserve, or enhance, natural assets; and protect the health and amenity of occupiers.

Planning Balance and Conclusion

23. The harm that would occur to the setting of the listed building and the character and appearance of the CA would not be severe and therefore it would be 'less than substantial' within the meaning of the National Planning Policy Framework (the Framework). Paragraph 196 of the Framework requires such harm to be weighed against the public benefits of the proposal.
24. The proposed development would result in an increase in the local housing supply and would generate some economic benefits arising from the construction process. However, such benefits by reason of the scale of the development would be small scale, limited in impact and, in some cases, of temporary duration. In consequence, I can give only these benefits a limited amount of weight.
25. Therefore, when giving significant importance and weight to the special regard I must pay to preserving the setting of the listed building and the special attention I must pay to the desirability of preserving or enhancing the character and appearance of the CA, I find that the harm that would arise from the proposal would not be outweighed by its moderate public benefits. Accordingly, there would be a conflict with Paragraph 194 of the Framework as harm to designated heritage assets would not have clear and convincing justification.
26. Whilst I have identified that the proposed development would not lead to an adverse effect upon the living conditions of the occupiers of the proposed development, this would not outweigh the adverse effects upon the character and appearance of the Conservation Area, and the setting of the adjacent Listed Building. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR