The Planning Inspectorate

Appeal Decision

Site Visit made on 10 February 2021

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/H0520/W/20/3255463
Pothecary Cottage, High Street, Pidley PE28 3BX.

- 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 James Nelson against the decision of Huntingdonshire District Council.
- The application Ref 19/02319/FUL, dated 12 November 2019, was refused by notice dated 29 May 2020.
- The development proposed is conversion of stable block into 2 bedroom bungalow.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form describes the proposed development as a two bedroom bungalow. However, plan 190613/(0)-101 Rev 3 determined by the Council indicates that the proposed development was amended to comprise a one bedroom bungalow. I have dealt with the appeal on this basis.

Main Issues

3. The main issues in this appeal are:

   a) the effect of the proposed development on the setting and significance of the Grade II listed Pothecary Cottage and Pidley Barn;

   b) whether the site is in a suitable location for housing having regard to the character and appearance of the area; and

   c) whether the proposed development would make adequate provision for infrastructure needs arising from the development.

Reasons

a) Setting and significance of listed buildings

4. Located on Pidley's High Street, Pothecary Cottage is a Grade II listed early 19th century, brick and rendered farmhouse with prominent chimneys. The cottage stands within its own gardens set back from the road. There is a modern garage east of the cottage. To the north west, there is an associated former farm outbuilding which is in residential use. This former outbuilding at Pidley Barn (now Beaugrove Barn) is also Grade II listed. The mid 19th century, gault brick barn has a slate roof and dentil cornice.

5. The site comprises a stable block and part of a paddock beyond the cottage's rear garden. It is accessed via a gravel drive east of the cottage. The stable block is a modern L-shaped, timber boarded building. North and east of the stable block, there is a paddock and fields.

6. The cottage and barn are in separate ownership. They have experienced visual separation due to fencing and planting along their shared boundary. The modern garage and stable block have altered the appearance of the former farmstead further. Notwithstanding this, the two listed buildings' significance results from their historic relationship as farmhouse and associated outbuilding, and their role within a wider farmstead in a rural landscape. The gardens, paddock, and open fields provide a spacious setting for the listed buildings.

7. Although the proposed development retains much of the existing stable block, it would introduce a parking area adjacent to the cottage's rear garden and a garden area, bin store, and soft landscaping around the stable block. New window and door openings and zinc roofing would be installed.

8. By altering the stable block's use and appearance, it would result in a building of a different nature with increased use and movement patterns, and the paraphernalia associated with domestic use. Despite the retention of access to the paddock, the location of refuse storage, and the stable block's auxiliary scale in comparison to the cottage, the appearance of the site would be formalised by introducing a further dwelling. This would visually and functionally separate the cottage and barn from the paddock and fields, reducing the rural context of the two listed buildings and diminishing the status of the cottage and barn within a wider farmstead. This would be harmful to the setting and significance of the listed buildings.

9. The harm to the significance of the listed buildings that would result from the proposed development would be less than substantial. Paragraph 196 of the National Planning Policy Framework (the Framework) requires a balancing exercise to be undertaken between the less than substantial harm to the designated heritage assets and the public benefits of the proposal.

10. The single dwelling proposed would make effective use of the stable block and would provide limited economic and social benefits resulting from construction, the provision of a house which could be sold on the open market, and the sale or reuse of the cottage. However, any public benefits would not be significant enough to outweigh the harm to the designated heritage assets identified.

11. While the appellant's structural report indicates that the stable block is structurally capable of being converted, this does not alter my overall concerns about the effect of the proposed development on the two listed buildings. Although the proposed development would provide a one-bedroom unit, suitable for a single person or couple, this would not overcome the fundamental effect of the introduction of a further dwelling in this location.

12. I conclude that the proposed development would have a harmful effect on the setting and significance of Grade II listed Pothecary Cottage and Pidley Barn. Accordingly, it would conflict with Policies LP2, LP11, LP12, LP33 and LP34 of Huntingdonshire's Local Plan to 2036 (May 2019) (HLP) and Chapter 16 of the Framework. These policies seek, amongst other things, to conserve and enhance the historic environment and to ensure that development is appropriately located.

b) Location

13. HLP Policy LP9 deals with development in and around small settlements. Pidley is classified as a small settlement. The policy outlines that development on land that is well related to the built-up area of a small settlement may be supported where it accords with the specific opportunities allowed for through other HLP policies. HLP Policy LP10 states that development within the countryside will be restricted and development must, amongst other things, recognise the intrinsic character and beauty of the countryside. This is consistent with paragraph 170 b) of the Framework. HLP Policy LP33, amongst other things, deals with the conversion of a building in the countryside and requires the proposal to lead to the enhancement of the immediate setting. The HLP defines the concept of the built-up area at paragraphs 4.80 – 4.85 and the unnumbered table below paragraph 4.85.

14. Although the appellant considers that the site falls within the scope of individual plots and minor scale development opportunities which would provide infill and rounding off opportunities on land which is physically, functionally and visually related to existing buildings, this fails to address the site's environmental development constraints.

15. North of the High Street, the rear boundaries of gardens are fairly consistent despite their increasing depth from east to west. The gardens form a buffer between the houses and the open countryside. The cottage's rear garden is similar in depth to the adjacent gardens to the east, with the exception of the vegetable plot, chicken run, and the stable block at one corner of the paddock. The stable block projects further north than any neighbouring gardens to the east or west up to the woods west of the site.

16. There is no disagreement between the parties that the cottage forms part of the built-up area. However, I concur with the Council's view that the existing stable block and the associated site, excluding the shared access with the cottage, does not form part of the prevailing pattern of residential development along the High Street. Instead, with a field and paddock adjacent to it, the site has a greater relationship with the surrounding countryside than with the built-up area. Notwithstanding that the site is not undeveloped, it also provides a visual connection between the aforementioned designated heritage assets and the wider countryside. This matter has been addressed in the earlier main issue. As a result, Policy LP9 would not be applicable as it would not fall within the built-up area or be well-related to it. In this instance, HLP Policy LP10 would apply.

17. The appellant considers that the proposed development would be auxiliary to the cottage and would comply with the requirements of HLP Policy LP33. Although the existing stable block is not particularly aesthetically pleasing and the proposed development would remove an existing lean-to and break up concrete, this would not outweigh my concerns about the domestication and intensification of use of the site set out in the previous main issue.

18. The proposed development would result in residential accommodation outside a settlement within the countryside. This would introduce further vehicle movements and parking, and other domestic paraphernalia in the countryside. This is at odds with the Council's development strategy and would be to the detriment of the area's character and appearance.

19. I conclude that the site would not be in a suitable location for housing having regard to the character and appearance of the area. It would conflict with HLP Policies LP9, LP10 and LP33 and paragraph 170 b) of the Framework.

c) Infrastructure

20. HLP Policy LP4 addresses infrastructure delivery, including the Community Infrastructure Levy and contributions towards a range of infrastructure such as waste infrastructure. The Developer Contributions Supplementary Planning Document 2011 (DCSPD) confirms that new housing should make provision for wheeled bins for waste storage and reviews costs for this annually.

21. The appellant's submitted unilateral undertaking for wheeled bins contains errors and inconsistencies. Firstly, it appears that the undertaking has not been signed by all the parties listed within the undertaking. Secondly, paragraph 2.1.5 of the undertaking describes the application as making provision for two dwellings. Thirdly, while a plan is referred to, no plan has been appended. Fourthly, the Council has confirmed that the undertaking does not reflect the current cost of £150 per dwelling.

22. The DCSPD justifies the sums sought for the provision of waste storage. I consider that the measures in the undertaking are necessary, related directly to the development and fairly related in scale and kind. They would accord with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests set out in the Framework.

23. As I intend to dismiss the appeal for other reasons, I have not pursued issues relating to the content and execution of the unilateral undertaking. For the reasons given above, the proposed development would not make adequate provision for infrastructure needs arising from the proposed development. This would conflict with HLP Policy LP4 and the DCSPD.

Other Matters

24. Although the proposed development would not have a negative effect on biodiversity or trees, and there are no objections recorded, this does not alter my findings.

25. A number of local residents have written in support of the proposed development. With regard to the appellant's personal circumstances, I am mindful that in general planning is concerned with land use in the public interest. It is probable that the proposed development would remain long after these personal circumstances cease to be material. These personal circumstances would not outweigh the harm caused by the proposed development. Furthermore, the lack of harm to neighbouring living conditions would not overcome other harm.

Conclusion

26. For the reasons given above, the appeal should be dismissed.

Joanna Gilbert

INSPECTOR