



Appeal Decision

Hearing held on 21 April 2021

Site visit made on 22 April 2021

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2021

Appeal Ref: APP/W0530/W/20/3261884

Former stables building, Station Yard, High Street, Meldreth, SG8 6JR

- 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 Station Yard Meldreth Limited against the decision of South Cambridgeshire District Council.
 - The application Ref S/3696/19/FL, dated 25 October 2019, was refused by notice dated 29 April 2020.
 - The development proposed is change of use and external alterations to form dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use and external alterations to form a dwelling at the former stables building, Station Yard, High Street, Meldreth, SG8 6JR in accordance with the terms of the application, Ref S/3696/19/FL, dated 25 October 2019, and the plans submitted with it, subject to the conditions at the end of this decision.

Main Issues

2. These are:
 - the effect of the proposed development on the heritage significance of the building;
 - the effect of the loss of employment use; and,
 - whether the proposed development would have an adverse effect on road safety, with particular regard to intervisibility at the junction of Station Close and the High Street.

Reasons

The effect on the heritage significance of the building

3. The significance of the building: I heard that the building, identified by the Council during its consideration of the planning application, as a non-designated heritage asset, dates from around the middle of the C19. It was built to stable the horses used to draw carts which served the nearby railway station, most likely delivering goods locally, or bringing agricultural produce from the surrounding farms to be despatched to the cities.
 4. Since the demolition of the contemporary, warehouse to its east, it has lost some of the power of its C19 industrial setting. The former goods shed and
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- yard to the south stand disused, with planning permission for redevelopment as housing.
5. Nonetheless, these stables have survived relatively intact. Used most recently for storage, including as part of the operations in the former goods shed, the building retains architectural interest in its industrial form and detailing, efficiently positioned hay-loft, and in its utilitarian, almost austere character, quite distinct from its more rural counterparts. Its proximity and alignment to the railway station, which is still used for passengers, is clear to see. As a totem of the expansion of the transport infrastructure built to serve the dramatically increased agricultural activity sustaining the C19 population boom, the building has historic significance too.
 6. The effect of use on significance: compared to the building's decline from continuing redundancy, or even to the potential of periods of disuse or repeated alterations to accommodate successive occupiers or alternative employment uses, a sensitively executed change of use to residential would provide an enduring, benign use for the building, and the security of its long term conservation.
 7. Moreover, the proposal includes the removal of the large, plastic box enclosing an electricity substation, standing very close to the building, whose form, materials, and siting detracts substantially from its spatial setting and its architectural character. The securing of the building's conservation, and the removal of the obtrusive sub-station, are significant, positive heritage benefits in favour of the change of use to residential. The Framework indicates that account should be taken of the desirability of putting heritage assets to viable uses consistent with their conservation. In the absence of their continued use as stables, the certainty, sensitivity, and enduring nature of the proposed use would help to conserve the building. This is a benefit to which I attribute substantial weight.
 8. The effect of alterations on significance: The conservation rooflights positioned close to the eaves would be relatively inconspicuous in views of the building. Given the area of the roof slopes, they would not detract from the simplicity of the roof form and the fine texture of its slate covering. Notwithstanding this, I share some of the Council's concerns about the sensitivity of the other alterations to the architectural character of the building.
 9. The Hearing explored these tensions, and whether conditions could overcome them. For instance, the soldier-course lintels over the new openings; these would appear superficial and crude against the more elegant, functional, segmental, double-header arches over the original openings. However, these soldiers could be omitted in place of plain brick bonding. The arrangement of the proposed windows in the south gable ground floor, an elevation significant for the strong symmetry of its stout piers, corbels, and projecting purlins, may appear more in balance with the elevation if their number, width, and alignment were reconsidered.
 10. Against the compact form and masculine detailing of this building, the slender, minimal flue proposed would appear incompatible with that robust form and the modelling of its masonry. However, an alternative, more traditionally detailed chimney, which would read as part of the more muscular construction of the building, may be more appropriate than the slim, cylinder proposed. The building contains decorative, iron grilles in the walls for ventilation. These are

part of the historic fabric of the building, reflecting the former use of the building. Their retention, even superficially fixed over infilled vent openings, would mark that important stage in the building's life.

11. There are no details of the materials for new windows and doors, or details of replacement rainwater goods, bricks and bonding, or mortar for making good. These could be secured by condition. The arrangement, height and scale of the wall proposed to enclose the private garden would be sympathetic in the setting of the building, but its material and detailing needs to be secured, as do the details of the landscape proposed around the building. I am satisfied that conditions to address these design matters could secure the sensitivity of the proposed alterations, so that the historic and architectural significance of the building is retained, albeit in a new chapter of its life.
12. In summary, by housing people rather than horses the character of the building would undoubtedly change. However, the new use would not harm the significance of the non-designated heritage asset. Indeed, it would secure its long-term conservation. The alterations proposed are generally sympathetic and would not domesticate the industrial character of the building to the degree that its significance would be undermined. Those alterations which would otherwise be unacceptable could be made acceptable by planning conditions, as discussed at the Hearing.
13. The proposed use would secure the conservation of the building. The alterations proposed would be sensitive to its significance. There would therefore be no conflict from the proposal with policies NH/14 and HQ/1 of the South Cambridgeshire Local Plan 2018 (LP) which support development that sustains and enhances the significance of heritage assets, and which seek high quality design that preserves the character of the area and conserves historic assets and their setting. Nor would there be any conflict with paragraph 197 of the National Planning Policy Framework (the Framework) which requires a balanced judgement to be made with regard to the scale of any harm or loss and the significance of the non-designated heritage asset.

The effect of the loss of employment use

14. Context: The appeal site was originally used as part of the Victorian enterprise connected with the railway. Until the most recent occupier of the former goods shed and adjacent land closed down in 2015, it was used for storage in connection with the operations in that parent site. Since then it has faced an uncertain future, being used temporarily and informally for storage of tools during the construction of nearby flats. It has not been actively used for the last two years. Notably, permission to develop the parent site for housing was permitted in November 2019, which has, in effect, truncated the appeal site from the use of which it was once a part.
15. Today, it stands isolated and rather displaced from the activity of both the High Street and the railway station. It is now surrounded by established and recently completed housing on three points of the compass; the implementation of the redevelopment of the parent site would see the site completely surrounded by housing.
16. Policy E/14 1(a): LP policy E/14 resists the redevelopment of employment sites to non-employment uses, unless one of three criteria are met. The first of these requires the site's inappropriateness for any employment use to be

demonstrated, with evidence that the property has been marketed for at least 12 months. The appellant acknowledged at the Hearing that the advertising of the site, for around only two months in a local newspaper, does not meet the marketing requirement of the first policy criterion, and that a small rent might be earned from storage in the building.

17. Notwithstanding the marketing shortcoming, I heard that without the connection to the parent site, the limited floor area of the building, which is no more than a triple garage, makes storage use commercially unattractive, and potentially unsustainable in the long term. The single enquiry from the recent marketing of the site revealed that the lack of any parking space also made the site unattractive in this location. The consequence of continued disuse could be fatal to the significance of the building as a non-designated heritage asset, and to its conservation.
18. An alternative employment use here would likely require toilets and kitchen facilities which would further reduce the building's already limited floor area. Coupled with the lack of parking, and the likely visibility splay restriction over part of the land outside the building, the site's dislocation from the railway station and from the High Street, its attraction for an alternative employment use is very limited.
19. Moreover, as the appellant pointed out, given its small floor area, the employment benefits from the construction of the proposal, together with the spending in the local economy and the use of local services by future occupiers of the building used as a dwelling may be greater than what little employment benefit there may be from the occasional monitoring trip to the building and the bookwork required for its use as a store or for distribution. While the marketing information is insufficient, because of the changed circumstances of this site's use and its now isolated physical characteristics, I give the conflict from the proposal with the first criterion in LP policy E/14 only limited weight.
20. Policy E/14 1(b): The second criterion requires the overall benefit from the redevelopment to the community to outweigh any adverse effect on employment opportunities, and the range of employment land and premises. While the objective of the policy is to resist the loss of employment land, the heritage significance of the building, recognised by the Council as a non-designated heritage asset during its determination of the application, is an important consideration in this case.
21. The potential for voids and continuous maintenance costs needs to be taken into account in considering the long-term use of the building, and the limited income likely to be achieved from its use as storage. The economic return from the use of this building for storage presents a risk of its physical decline, which may eventually diminish its heritage significance to the point that demolition and redevelopment become almost inevitable.
22. Even if an alternative employment use were found, there is limited opportunity to extend the building with such close boundaries without undermining its heritage significance. Moreover, given the challenge of securing an employment use on this site, successive alternative employment uses are a realistic prospect, with the risk of physical alterations for each taking their toll on the historic fabric of the building.

23. The Framework indicates that account should be taken of the positive contribution that the conservation of heritage assets can make to communities. The overall benefit to the community from securing the sensitive alterations to the building and its conservation from the change of use to residential would decisively outweigh the risks to its heritage significance from the uncertainty of its future and its likely decline if the status quo is maintained or if an alternative employment use is demanded when there is little prospect of success or development without harm to its significance. In this respect alone, because of the heritage benefit, the proposal would meet the test of the second criterion in LP policy E/14.
24. A further consideration in terms of benefit to the community is the changing environment around the appeal site. While the site was once part of the surrounding industrial or commercial hinterland to the railway station, with factory, offices and storage uses, the area has been changing progressively since before the parent site closed down. The appeal site is today an island of Class B8 use (as storage or as a distribution centre) surrounded by housing or consented housing. Were the boot on the other foot, it is difficult to imagine a B8 use being permitted in the centre of a residential area. Yet, that is the predicament of this site in the changing use context around it today.
25. The parent site beside it has a realistic prospect of being redeveloped for housing. The proximity of the existing houses which surround the site, the consented houses, and their vehicle entrances, suggests that there is a very real likelihood of conflict between surrounding occupiers and the use of this site for storage with no hours condition, or alternative employment use, with its potential for noise and inconvenience to surrounding occupiers from deliveries and collections, and from the waiting and manoeuvring of vehicles. This further consideration weighs moderately in the balance in favour of the proposal too, in its overall benefit to the community.
26. The considerations in favour of the proposal amount to an overall benefit to the community that clearly and substantially outweighs the limited adverse effect from the loss of such a marginal area of employment use to the employment opportunities and the range of available employment land and premises, for which there is no evidence that the loss of this isolated site containing a 44m² building would undermine. Accordingly, the test in the second criterion of policy E/14 is satisfied.
27. Policy E/14 1(c) and 2: Turning to the other parts of the policy, criterion (c) does not apply as there is no existing use generating environmental problems. The partial retention of the site for employment use, it was agreed at the Hearing, would be plainly incompatible with the use of the site as a dwelling, which satisfies part 2 of the policy.
28. I conclude on this issue that because the overall benefit of the proposed development would outweigh any adverse effect on employment opportunities and the range of available employment land and premises, there would be no conflict with LP policy E/14 which, in these particular circumstances, permits change of use or redevelopment.

Whether it would have an adverse effect on road safety

29. The vehicles of the occupiers of this development, or their visitors, would use the junction of Railway Close and the High Street for access. While intervisibility to the left-hand side of this junction, when emerging from Railway Close, is already restricted by the planting on the appeal site, there is no evidence that the number of vehicle movements from this development over storage use requires visibility splays.
30. Notwithstanding this, the large tract of land adjacent to the appeal site, which is owned by the appellant, has planning permission allowed at appeal¹ in 2019 for 22 dwellings. A condition of the permission for that development required visibility splays at the junction of Railway Close and the High Street to preserve the safety of road users as a result of the traffic from those new dwellings using the junction. The left-hand side splay crosses the site of this appeal. The development of the adjacent site has not yet begun. However, given the need for housing, the efforts to secure that permission, and that this site is the last piece of the assemblage of land in this area subject to permission for redevelopment, its implementation is a realistic prospect.
31. The design of this proposal would maintain the visibility splay. Having regard to the reasoning for the imposition of the condition in the permission to retain the splays, and having experienced the intervisibility when turning right out of Railway Close and how the land in the appeal site could further obstruct the visibility to the left, I consider that a similar condition to retain the left-hand visibility splay is necessary. As the land of the appeal site is considerably higher than the adjacent highway, the exclusion of obstructions should refer to site ground level rather than a height above highway. Without this condition, the intervisibility of traffic at a busy, staggered junction could be severely restricted were the adjacent site development implemented. The consequential impact on the risk of collisions between road users would be unacceptable.
32. It follows therefore, that subject to a condition to retain the visibility splay across the site, the proposed development would not have an adverse effect on road safety, with particular regard to intervisibility at the junction of Station Close and the High Street. There would be no conflict with the Framework which indicates, in paragraphs 108 and 109 that development should provide safe access to the site, and that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

Conditions

33. I have considered the conditions suggested by the Council against the advice in the Planning Practice Guidance (PPG), and adjusted their wording and timing to reduce the burden of unnecessary submissions and processing of further applications where sufficient information has already been provided or is covered by other conditions. As well as the statutory time condition (1), a condition listing the approved drawings (2) is needed to ensure clarity on what has been permitted. To protect the health of future occupiers a pre-commencement precautionary contamination condition (3), and its counterpart pre-occupation condition (8) are necessary.
34. The necessity of the heritage conditions (4), (5), and (6) has been discussed above. Given the proximity of the dwelling to the railway, a condition (7) to

¹ Appeal Ref: APP/W0530/W/19/3223691

secure the specified noise control measures are necessary to provide satisfactory living conditions. A condition (9) for details of drainage are necessary to prevent flooding and to protect health. These do not need to be resolved until before occupation.

35. The proximity of surrounding residential occupiers demands a condition (10) to control construction hours. The visibility splay condition (11) described above has been applied to make the development acceptable. Given the distinctive bond of brickwork and mortar in the building a condition (12) for brickwork infilling to match the existing fabric is required.
36. While the PPG advises that conditions limiting permitted development rights may not pass the tests of reasonableness or necessity, I agree that a condition (13) to withdraw permitted development rights save under Class F is necessary to protect the historic and architectural significance of the heritage asset. A restrictive condition would not prevent development but bring it under planning control. Notwithstanding this, the size and architectural character of the building would sustain microwave antenna without affecting its significance, so I have not excluded class H. Given the extent of the works in the development, a condition to restrict the burning of waste is also unnecessary.

Conclusion

37. I have found that, subject to conditions, there would be no harm from the proposed development. It would bring a modest benefit of an additional dwelling to local housing supply, located close to the High Street and to public transport. It would sensitively secure the long-term conservation of the non-designated heritage asset. The overall benefit of the proposed development would outweigh any adverse effect on employment opportunities and the range of available employment land and premises. There would be no conflict with the policies of the development plan, and there are no material considerations that indicate the application should be determined other than in accordance with the development plan.
38. For the reasons given above, and in accordance with the Framework, which stipulates that proposals which accord with an up-to-date development plan should be approved without delay, the appeal is allowed.

Patrick Whelan

INSPECTOR

Appearances

FOR THE APPELLANT:

David Mead BA Dip UP MRTPI
Jonathan Mills MPlan MRTPI
David Tropp MRICS

Partners in Planning and Architecture Ltd
Partners in Planning and Architecture Ltd
Landowner

FOR THE LOCAL PLANNING AUTHORITY:

Jane Rodens

Senior Planning Officer, South Cambridgeshire DC

INTERESTED PERSON:

Jan Butchers

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

2016.63/SB/LP1A	Location Plan
JDA/2016/785/STABLE.001	Survey Details
JDA/2016/785/STABLE.001A	Proposed Plans and Elevations
JDA/2016/785/STABLE.SITE.001C	Proposed Site Plan

PRE-COMMENCEMENT

- 3) Contamination: No development shall take place until:
 - a) The application site has been subject to a detailed desk study, to be submitted to and approved by the local planning authority.
 - b) The application site has been subject to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment and agreed in writing by the local planning authority.
 - c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the remediation method statement) have been submitted to and approved in writing by the local planning authority.

PRE-OCCUPATION

- 4) Before the occupation of the development, a scheme of hard and soft landscaping shall have been submitted to and approved in writing by the local planning authority. The details shall include plans and measures of the following:
 - a) Proposed planting including schedules specifying species, planting size, densities and plant numbers and any tree pit details
 - b) Hard surfacing materials and finishes
 - c) Boundary treatmentsAll planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) Before the occupation of the development, and notwithstanding condition No 2, alternative design arrangements of:-
 - a) the ground floor window openings, south gable end; and
 - b) plain bond brickwork (no soldiers), to match existing mass walling, over new openings;shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 6) Before the occupation of the development, and notwithstanding condition No 2, drawn and written details of the materials, section profiles, and finishes of:-
- a) new doors, windows and rooflights;
 - b) the chimney/flue above roof level;
 - c) any new ventilation openings/grilles in walls;
 - d) any replacement/additional roof drainage; and,
 - e) the locations and methods of retaining the existing cast-iron ventilation wall grilles
- shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) Before the occupation of the development, a detailed noise insulation scheme to protect future occupants inside the dwelling from railway and traffic noise, shall be submitted to and approved in writing by the local planning authority. The detailed noise attenuation/insulation scheme shall:
- a) have regard to the acoustic mitigation assessment and conclusions in the submitted Noise Impact Assessment Report, Former Stables, Meldreth Station Yard, Residential Conversion prepared by Anglia Consultants (reference A1354 dated 15/09/2019 revision 1 02/10/2019); and,
 - b) demonstrate that the internal noise levels recommended in British Standard 8233:2014 "Sound insulation and noise reduction for buildings - Code of Practice" will be achieved.
- The noise insulation scheme as approved shall be fully implemented before occupation and shall thereafter be maintained in accordance with the approved details.
- 8) Contamination: Before the occupation of the development, the works specified in the remediation method statement must be completed and a verification report submitted to and approved in writing by the local planning authority. If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the local planning authority before any works proceed and shall be fully implemented prior to the occupation of the dwelling hereby approved.
- 9) Before the occupation of the development, a scheme for the disposal of surface water and foul water shall be submitted to and agreed in writing by the local planning authority. The scheme shall include details of:
- a) The existing drainage arrangements of the site including location and discharge rates where appropriate;
 - b) The proposed discharge locations, including infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable;
 - c) A site plan identifying indicative locations for sustainable drainage features.
 - d) Details of foul discharge location or treatment plant and discharge location.
- All external areas should utilise permeable surfaces.

PERFORMANCE

- 10) No construction site machinery or plant shall be operated and no work outside the building shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.
- 11) The land within the site which lies within the left-hand, 2.4m x 43m visibility splay from the junction of Railway Close/High Street, and as indicated on drawing 'JDA/2016/785/STABLE.SITE.001C Proposed Site Plan' shall be maintained free from any obstruction above the level of the ground within that splay.
- 12) Any work to form new openings or to adjust existing openings shall make good around the opening in bricks reused from this building, or in bricks to match the existing. Making good of existing pointing and formation of new brick joints shall use mortar to match the existing building mortar, including lime mortar where appropriate.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development for enlargement or additions falling within Schedule 2, Part 1, Classes A, B, D, and E, and no alterations in classes C and G, and no enclosures falling with Schedule 2, Part 2, Class A, shall take place without express planning consent from the local planning authority.

END OF SCHEDULE OF CONDITIONS