

Appeal Decision

Site visit made on 29 March 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2022

Appeal Ref: APP/H0520/W/21/3282319

Old Dairy Nursery, rear of 31-67 Luke Street, Eynesbury, St Neots, Cambridgeshire

- 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 AWJ Usher & Sons Ltd against the decision of Huntingdonshire District Council.
 - The application Ref 21/00212FUL, dated 28 January 2021, was refused by notice dated 9 July 2021.
 - The development proposed is the erection of seven dwellings and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue relevant to this appeal is the effects of the proposed development upon the character and appearance of the St Neots Conservation Area.

Reasons

3. The appeal site consists of an area to the rear of some existing dwellings. The appeal sites most recent use was a market garden however this has now ceased. the appeal site is within the St Neots Conservation Area (the CA). The evidence before me indicates that Eynesbury was originally a separate village that was subsumed by the growth of St Neots.
4. Therefore, for the purposes of this appeal, the significance of the CA nearest to the appeal site is, in part, derived from the presence of a more open building pattern. This provides a less developed character which reflects the former, more rural, setting of Eynesbury. Although Luke Street is part of an irregular network of streets, the pattern of development is clearly defined with buildings that face the highway in a linear form.
5. The proposed development, by reason of the number of dwellings and its scale, would result in a significant increase in the overall level of built form within the surrounding area. This would conflict with the generally more open, and less developed, character of the vicinity.
6. In addition, the development would result in a significant increase in the overall level of areas of hard surfacing owing to the creation of a number of different driveways and vehicle manoeuvring areas. Furthermore, owing to the need to retain areas of hardstanding for vehicle parking and manoeuvring, there is

limited potential for the planting of additional soft landscaping, which might soften the overall effects of the proposed development.

7. The proposed development would feature a dwelling (shown on the submitted plans as being Plot 1) which would be close to the site's side boundary. It would also be close to the front boundary. Due to these factors and combined with the height and the size of the footprint of the proposed dwelling, the dwelling would have an enclosing effect owing to its cramped form. Given that the side elevation of this dwelling would be clearly visible, it would conflict with the prevailing character of dwellings elsewhere in Luke Street.
8. Some of the existing dwellings are close to the highway edge, in a close pattern. However, they also directly face the street. In result, the proposed development would be divergent from the prevailing character of the CA.
9. This cramped effect would be exacerbated by the size of other dwellings and their relationships with the site's boundaries. In particular, the dwelling identified as Plot 3 on the submitted plans would be near to two of the site's boundaries. In addition, the proposed development would include some garages, which would also reduce the space between buildings. This cramped form of development would conflict with the more open form of development present elsewhere.
10. In consequence, the proposed development would conflict with the generally more open character of the Conservation Area. In particular, the vicinity contains a number of mature trees which assists in assimilating developments into the wider rural surroundings. Therefore, the proposed developments would conflict with the prevailing character of the Conservation Area owing to the increased built form being readily perceptible.
11. In particular, views of the development would be possible from the street via the proposed access to the development. Furthermore, views of the developments would be possible from nearby neighbouring dwellings. Owing to this level of prominence, the proposed development would appear strident and incongruous.
12. The evidence before me indicates that the garden sizes of the proposed development would be appropriate for recreation. Whilst this may be the case, the proposed development would have a layout that would result in a cramped form. In consequence, this would erode the character of the surrounding area irrespective of the garden sizes owing to their positioning as the scheme before me lacks some of the key features of the CA.
13. I understand that the development has been designed with reference to horticultural styles of architecture that might be reflective of the site's previous use. However, the proposed development would have a greater level of built form than the original use. Therefore, the style of architecture does not overcome my previous concerns.
14. My attention has been drawn to other developments in the surrounding area. I do not have the full information of their planning circumstances before me, which lessens the weight that I can attribute to them. Nonetheless, I note that the existing developments are built to different layouts to the appeal scheme and also have less prominence when viewed from the surrounding area. In

consequence, the presence of developments elsewhere does not allow me to disregard my previous concerns.

15. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the Conservation Area. The development, in this regard, would conflict with the requirements of Policies LP2, LP11, LP12 and LP34 of the Huntingdonshire Local Plan (2019); Policies A3 and PT2 of the St Neots Neighbourhood Plan (2016); and the Huntingdonshire Design Guide Supplementary Planning Document.
16. Amongst other matters, these seek to ensure that developments protect the character of existing settlements; respond positively to its context and draw inspiration from the key characteristics of its surroundings, including the historic and built environment; contribute positively to the area's character and identity; and give great weight to the conservation of heritage assets

Other Matters

17. I acknowledge that in submitting the planning application for the proposed development, the appellant was addressing the previous refusal of planning permission. However, this does not overcome my previous concerns.
18. The proposed development is unlikely to have an adverse effect upon matters including highway safety and flood risk. I also note that the local town council did not object to the proposed development. Whilst these are matters of note, they are only some of the matters that must be assessed and therefore do not overcome my findings in respect of the main issue.
19. I acknowledge concerns raised by the appellant regarding the manner in which the planning application was considered by the Council. However, in assessing this appeal, I have limited my considerations to the planning matters before me.

Planning Balance

20. The harm that would occur to the character and appearance of the Conservation Area would not be severe and therefore it would be 'less than substantial' within the meaning of the National Planning Policy Framework (the Framework). Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
21. The proposed development would result in an increase in the local housing supply. However, the benefit is limited owing to the scale of the development. The development would generate some economic benefits arising from the works being undertaken and the occupation of these development. However, these benefits would be limited due to the scale of the development and also, in some instances, of a time-limited duration. Therefore, I can only attribute the public benefits a limited amount of weight.
22. Therefore, when giving significant importance and weight to the special attention I must pay to the desirability of preserving or enhancing the character and appearance of the Conservation Area, I find that the harm that would arise from the proposal would not be outweighed by its limited public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

Conclusion

23. The proposed development would have an adverse effect upon the character and appearance of the CA. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR