



Appeal Decision

Site visit made on 14 June 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2022

Appeal Ref: APP/W0530/W/21/3282388

53 Boxworth Road, Elsworth CB23 4JQ

- 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 Solopark Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref S/4521/19/FL, dated 17 December 2019, was refused by notice dated 13 May 2021.
 - The development proposed is the erection of nine dwelling houses and associated infrastructure and works including formation of new vehicular access following demolition of existing buildings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the development from 'Erection of 10 dwelling houses and associated infrastructure and works including formation of new vehicular access following demolition of existing buildings (and works of repair to existing Dovecote building)' to 'erection of nine dwelling houses and associated infrastructure and works including formation of new vehicular access following demolition of existing buildings' after amendments to the scheme.
3. The appellant has also used the revised description on the appeal form. I have proceeded with reference to the revised description as it represents a more succinct description of the proposed works.

Main Issues

4. The main issues relevant to this appeal are
 - the effect of the developments on the character and appearance of the surrounding area;
 - the effect of the developments upon the character and appearance of the Conservation Area; and
 - the effect of the development upon the setting of listed buildings.

Reasons

Character and appearance

5. The appeal site consists of an area on the boundaries of the settlement. In result part of the appeal proposal located to the rear of the site falls within the

countryside. Therefore, the prevailing characteristic of the appeal site is of a more rural appearance. There are some dwellings nearby. However, these have a notable amount of space around them. This gives the settlement a character that is complementary to the countryside beyond.

6. The proposed dwellings would not be in the countryside. However, the gardens of some of the proposed dwellings would be. Given that this area of countryside is perceptible from the surrounding area, its inclusion within the gardens of the proposed dwellings would result in an erosion of the site's more rural character.
7. In addition, as dwellings, there is a likelihood that items of domestic paraphernalia would be placed within the gardens of the appeal site. Therefore, the development would also conflict with the character of the countryside.
8. Furthermore, due to the proposed number of dwellings it would create an increased urbanising effect within the surrounding area. This would be created by reason of the height and mass of the proposed development, which would conflict with the character of the countryside beyond. This would occur even though the appeal site does not appear to form part of a valued landscape.
9. Although the appellant controls some of the adjoining land, views of the section of the appeal site that is within the countryside are possible from the wider area. This would occur even though there are no public rights of way near to the appeal site as views are possible from the highway close to the front of the site and other properties.
10. In addition, the proposed dwellings would result in building works taking place in proximity to one another. This would contrast with the character of existing buildings within the surrounding area, which can be characterised as having gaps between them.
11. The proposed dwellings might be similar in height to some of the other dwellings within the wider area. However, it is the proximity of the dwellings to one another, combined with the loss of countryside and the proximity of the dwellings to the highway that would lead to an adverse effect upon the area's character.
12. Therefore, the proposed development would have a more suburban and domestic character, which would conflict with the predominantly rural character of the vicinity. In consequence, the proposed development would be of an incongruous nature.
13. This raises a concern given that the general prominence of the appeal site. In addition to views from several of the surrounding properties, views of the development would be possible from the surrounding area, including the open countryside. This means that the increase in built form would be strident as the development would be readily perceptible.
14. The appeal site is near to a relatively new dwelling. However, this dwelling has a layout and siting that is complimentary to the vicinity of the area. Therefore, the presence of this building does not overcome my previous concerns.
15. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies HQ/1 and S/7 of the South Cambridgeshire Local Plan (2018) (the Local Plan). Amongst other

matters these seek to ensure that new developments preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape; and be appropriate to its location.

Character and appearance of the Conservation Area

16. The appeal site is adjacent to the Elsworth Conservation Area (the CA), which runs alongside the side boundary of the appeal site. For the purposes of this appeal, the significance of the CA is, in part, derived from the presence of traditionally designed buildings that have notable space around them and generally arranged in a linear form. This means that the dwellings are reflective of the rural setting of the area and previous activities that would have taken place within them.
17. The proposed development would result in an increase in the overall level of built form within the vicinity of the CA. In addition, the proposed development would comprise several dwellings arranged in a cul-de-sac arrangement.
18. In consequence, the proposed development would result in an erosion of the CA's character. This is because views of dwellings and, most notably, rear and side elevations would be possible. This means that the development would conflict with the prevailing linear form of development.
19. Given that a notable feature of the CA is the fact that open space to the rear of dwellings is readily perceptible. Owing to the number of the dwellings and their heights, the projection of the development into the countryside would erode this characteristic. This would occur even though the surrounding area has seen some more recent construction works take place.
20. Furthermore, the proposed development would result in an increased urbanising effect owing to the number of dwellings. This would erode the traditional landscape that surrounds the settlement. In consequence, the proposal would disrupt the relationship that exists between the built form of the settlement and the open countryside beyond.
21. It is also noteworthy that owing to the general lack of landscaping with the development, the transition from the settlement to the countryside would become more pronounced. In addition, the car parking arrangement would also be readily apparent. This would conflict with the traditional form of development in the CA. These matters, in unison, would detract from the prevailing character of the CA.
22. The proposed development would replace an existing dwelling. However, this is of different proportions to the appeal scheme. The existing dwelling, in turn, replaced a farmhouse. However, the evidence before me is also suggestive that this had a form smaller than the appeal proposals. Therefore, I do not find that the presence of the existing or previous development sufficient to overcome my previous concerns. Therefore, the proposed development would contrast with the traditional setting of the CA and its immediate environs, which would amount to harm.
23. I therefore conclude that the proposed development would have an adverse effect upon the setting of the CA. The development, in this regard, would conflict with the requirements of Local Plan Policy NH/14. Amongst other matters, this seeks to ensure that new developments sustain and enhance the significance of heritage assets.

Setting of the listed buildings

24. The appeal site contains a Grade II listed building in the form of a combined dovecote and granary. For the purposes of this appeal, the significance of the building is derived from its style of architecture, its former use and the presence of open space surrounding it. This indicates the former use of the building. This results in the setting of the listed building contributing to its significance.
25. The proposed development would therefore result in the loss of open space around the listed building, which would conflict with the prevailing character of the space that surrounds the building in its current, more rural form.
26. In addition, the dovecote and granary would be subsumed into the garden of one of the proposed dwellings. This would mean that it would be surrounded by the dwelling's boundary treatments. This would contrast with the current more open form of the dovecote and granary.
27. Furthermore, given that it would be sited within a garden, the surroundings of the building are likely to become more domestic in nature. This is due to the presence of domestic paraphernalia that may be placed in the garden. In addition, the type of planting could also become to be more domestic in nature. Given that such items would fall outside of the definition of development, it would not be possible from limiting these matters from occurring. In consequence, the setting of the dovecote and granary building would be eroded.
28. Although it may have been that the area surrounding the dovecote and granary developed in a piecemeal fashion, the evidence before me is indicative that its immediate surroundings retained a more open character that would have been of a less domestic nature. Therefore, the proposed development would erode the setting of this listed building.
29. In reaching this view, I have had regard to the fact that the appellant has taken steps to protect the building. However, this does not overcome my previous observations.
30. Adjacent to the appeal site is the Grade II listed building of Dale Farmhouse. The significance of this building, for the purposes of this appeal, is derived from its architecture and the presence of smaller, ancillary buildings nearby. This is supplemented by less developed areas, which are indicative of the building's former function.
31. Owing to its positioning, this listed building would be readily viewed alongside the appeal proposals. In result, the proposed development, by reason of its height and proximity would erode the listed building's setting through the introduction of a more built-up character.
32. In addition, the proposal would have a height that would conflict with the existing character of structures as it would appear to be substantially taller than the existing, ancillary buildings near to the listed building. In result, the proposed development would erode the listed building's more rural character.
33. The proposed development is also in proximity to the Grade II listed building that was originally constructed as a stable block. This adjoins the side boundary of the appeal site. For the purposes of this appeal the significance of

the listed building is derived from its traditional architecture, its subordinate relationship with the main farmhouse building and the presence of open space nearby, which again reflects its former agricultural use. Therefore, the setting of the building also contributes to its significance.

34. The stable block would be near to some of the proposed dwellings. The height of these dwellings would be significantly larger than the stable block. This would mean that proposal would result in a loss of open space in the vicinity of the listed building which would mean a disconnect between the listed buildings and the rural character of the surroundings.
35. In addition, the farmhouse currently occupies the most prominent position within the stable building. Owing to the proximity of the proposed dwellings to the stable building, this relationship would be eroded as the stable block would appear to be surrounded by larger buildings. Therefore, this historical relationship would be diluted.
36. Whilst the stable building is relatively close to the existing dwelling on the appeal site, the existing bungalow has smaller proportions and a different orientation to the proposed dwellings. Therefore, the existing bungalow does not have the same adverse effects that the appeal proposal would have.
37. Although some alterations have taken place within the surroundings of the listed buildings in the form of the erection of newer buildings, these have generally retained the character of the surrounding area and have not conflicted with the historical significance of the various listed buildings. They, therefore, do not overcome my previous concerns.
38. I therefore conclude that the proposed development would have an adverse effect upon the setting of listed buildings. The development, in this regard, would conflict with the requirements of Local Plan Policy NH/14. Amongst other matters, this seeks to ensure that new developments sustain and enhance the significance of heritage assets, including their settings.

Heritage Planning Balance

39. The harm that would occur to the character and appearance of the CA and the setting of the listed buildings 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.
40. The proposal would result in an increase in the overall level of housing supply within a rural area. However, the proposed development would result in a limited increase in housing supply. I also note that the Council can currently demonstrate a five-year housing land supply. Although the proposed houses might be smaller, they would still be available on market tenures which, might, in the future be subject to price increase. This lessens the benefit that can be derived from the creation of new dwellings. Therefore, this can only be given a limited amount of weight.
41. The proposed development would generate some economic benefits arising from the works being undertaken and future occupation. 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.

42. The proposed development would result in repairs being carried out to the granary and dovecote building. This is potentially a matter that could be given great weight. However, the evidence before me is not indicative of the works that would be required in order to return this building to a satisfactory condition. This could have taken the form of a costed schedule of works.
43. It is intended that such works would be funded from the sale of the proposed dwellings. However, without costings and details regarding the likely receipt from the sale of the dwellings, I cannot be certain that the proposed development would generate sufficient funding in order to make the repair of this building a viable proposition. In result, it has not been demonstrated that there is a realistic likelihood of such repair works being carried out.
44. Furthermore, whilst the granary and dovecote would be contained within the curtilage of a dwelling, the submitted documentation lacks sufficient information as to what the future occupiers of the dwelling might use the listed building for. Therefore, it is not certain that there would be a permanent use for the building, which would prevent it from falling into further disrepair. In consequence, I can only give this a matter a moderate amount of weight.
45. 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 CA and the listed buildings, 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

46. The proposed development would have an adverse effect upon the character and appearance of the surrounding area; the character and appearance of the CA; and the setting of various listed buildings. 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