
Appeal Decision

Site visit made on 27 June 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14TH July 2022

Appeal Ref: APP/W0530/W/22/3292525

26 Fen Road, Milton CB24 6AD

- 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 G Wieland against the decision of South Cambridgeshire District Council.
 - The application Ref 21/00561/FUL, dated 1 February 2021, was refused by notice dated 23 November 2021.
 - The development proposed is a single storey one bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including the setting of Milton House, a Grade II* listed building; and
 - whether the proposal would provide acceptable living conditions for future residents in relation to external amenity space.

Reasons

Character and appearance

3. The proposal is for a small single storey one bedroom dwelling end on to the road on the car parking area next to No 26 Fen Road, a pale brick double fronted Victorian house now converted into four flats (not a 'block of flats' as described in the Council officer's report). The site is also adjacent to Milton House, an attractive and important Grade II* listed building which was the home of the 18th century antiquarian William Cole. Fen Road, running from the historic core of the village with its designated conservation area, is now residential in nature with primarily modern development but retains vestiges of its earlier character as a gently meandering rural lane including some large trees and a handful of older frontage buildings.
4. The new dwelling, whilst designed with a low ridge height, broken into three sections and constructed of suitable materials, would extend well forward of the front elevation of No 26 on one side and the projecting front kitchen wing of Milton House on the other. In this location it would unduly intrude into the street scene, obscuring the important view of Milton House when approaching from the centre of the village. In particular, the attractive kitchen wing with its

dormer window and front gable incorporating interesting carved mediaeval stones would be lost from some views.

5. The scheme relies on the precedent of an earlier outbuilding which occupied approximately the same footprint from at least 1887 to 1992 and on this academic basis the Council's heritage adviser and Historic England consider the proposal would have no greater impact on the listed building than was the case during this period. However, the photograph submitted by Mr Fraser shows the front section was removed between 1927 and 1961, opening up the present view for something between 60 and 95 years, the lifetime of most residents. The photograph also shows a windowless weatherboarded ancillary outbuilding of an entirely different character to the residential dwelling now proposed. Understandably, the local view is that the appreciation of the listed building would be adversely affected by the impact of the new dwelling.
6. In any event, the proposal involves a substantial reconfiguration of the site of No 26. The remaining front lawn and frontage hedge, incorporating a low wall, brick piers and gate, would be replaced by four end-on parking spaces. Landscaping on either side would need to be minimal to ensure visibility for reversing vehicles. The result would be a loss of enclosure, significantly eroding the character of this part of Fen Road and the remaining sense of a single Victorian house set in its garden before its conversion into flats.
7. The dwelling would also be sited immediately next to the common boundaries of Milton House on one side and Arlington House to the rear. In this position the building would be located under the canopies of important mature trees on the road frontage and in the rear corner. The frontage tree is only shown diagrammatically on the application plans, the rear tree not at all, no arboricultural report was submitted with the application and the Council's tree adviser does not appear to have been consulted. In the absence of detailed information the proposal may require surgery to the lower limbs of the trees and would probably involve substantial construction within their root protection areas. As a result there could be significant implications for the appearance, long-term maintenance and health of the trees. Whilst the Council suggest that a condition requiring a report and tree protection details would be sufficient to safeguard the trees, given their importance to the amenity of the area and the setting of the listed building the precautionary principle should apply in this case.
8. Whatever the position in relation to Milton House as a heritage asset, for these reasons the proposal would significantly harm the character and appearance of the area. In the absence of detailed arboricultural information this impact could be exacerbated by harm to the mature trees on and near the site. This would conflict with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 (SCLP) which requires development to preserve or enhance the character of the local area with car parking not dominating the surroundings.

External amenity space

9. The dwelling would be provided with an external amenity area to one side of the property at the back of the site. In this location it would be dominated by the two-storey side elevation of No 26, Arlington House behind and the large tree in the rear corner of the plot, all in close proximity. These factors would result in an undue sense of enclosure resulting in unacceptable living conditions for future occupiers contrary to SCLP Policy HQ/1(n).

Conclusion

10. The proposal would provide an additional small dwelling suitable for a first-time buyer which would make a contribution towards local housing needs and have social and economic benefits for the area. In addition, the site represents a sustainable location with a range of services and facilities available locally. However, the proposal would significantly harm the character and appearance of the area and the dwelling would not provide acceptable living conditions for its occupiers.
11. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR