



Appeal Decision

Site visit made on 20 September 2022

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022

Appeal Ref: APP/W0530/W/21/3289405

Land to the rear of 53 Church Street, Gamlingay SG19 3JJ

- 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 N Drummond against the decision of South Cambridgeshire District Council.
 - The application Ref 21/01339/FUL, dated 23 March 2021, was refused by notice dated 3 November 2021.
 - The development proposed is described on the application form as: 'Demolition of barn and erection of replacement barn to be used as a dwelling and parking'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr N Drummond against South Cambridgeshire District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council's decision notice lists the plans to which its decision relates. This list includes plan '1 (Revision SK05)' which is noted as being received by the Council on 9 April 2021. The appellant has provided a copy of an amended plan, titled 'Plans and Elevations, Drawing Number: 1, Revision: SK06', which is dated 7 July 2021 and a copy of an email to the Council dated 12 July 2021 which enclosed a copy of that amended plan. This was to address the Council's comments in relation to finishes on the side elevations of the proposal. The differences to the exterior finish of the sides of the proposed building shown in the amended plan are minor, address concerns previously raised by the Council, and were submitted to the Council a significant period of time before the decision notice was issued. I am therefore satisfied that no parties would be deprived of the opportunity of consultation on the amended plan or would be otherwise caused any injustice by me taking the amended plan into consideration as part of the appeal.
4. The Council has referred to Policy GAM3 of the Gamlingay Neighbourhood Plan submission dated 26 August 2021. As Policy GAM3 comprises part of an unadopted neighbourhood plan which is yet to form the subject of a local referendum, I assign it very little weight in my decision.

Main Issues

5. The main issues are: the effect of the proposal on the character and appearance of the area, with particular regard to the Gamlingay Conservation Area (CA) and the setting of the Grade II listed building at 53 Church Street; whether the proposal would provide acceptable living conditions for future occupants, with particular regard to private amenity space; whether the proposal would provide acceptable parking provision; and the effect of the proposal on biodiversity.

Reasons

Character and Appearance

6. The appeal site is a two storey barn in an advanced state of decay¹, with brick plinth, timber clad sides and a tiled roof. It is located to the rear of Church Street, within the CA. Church Street is one of the main thoroughfares in the village and is lined with a mix of historic buildings. The CA appraisal² refers to Gamlingay as having the character of a small town, where its traditional shops, fine church, substantial houses and public houses add to an atmosphere of urbanity and create an unusually high quality environment. It explains that Gamlingay probably developed from a number of hamlets amalgamated through the laying out of a regular planned village. The significance of the CA therefore lies in its historic street pattern and vernacular buildings. As an historic vernacular building, the appeal building makes a positive contribution to the significance of the CA. This contribution is limited by its poor state of repair.
7. The appeal site is accessed by a shared driveway between 51 and 53 Church Street. The listing description for 53 Church Street describes it as a late C18 and early C19 cottage with former bakehouse, featuring historic and late C20 elements. Its significance lies in its historic fabric and architectural features and its group value as one of a number of historic buildings along Church Street. As an historic building fronting onto the shared driveway where the rear of 53 Church Street is experienced, the appeal site forms part of the setting of the listed building. Its presence does not, however, contribute towards the significance of the listed building.
8. The shared driveway appears to serve a number of properties, including a large modern bungalow to the north-east of the appeal building. Another large modern looking building is located directly north of the appeal site. These contemporary buildings are seen alongside, but to the rear of, the historic buildings that line Church Street. This is a common arrangement in the village, with a mix of modern buildings located at The Maltings, a short distance west of the appeal site, off Church Street.
9. It is proposed to demolish the barn and erect a replacement building which would be of similar proportions, but of slightly narrower width, in a slightly different position. The smaller and repositioned footprint of the proposed building would create garden space to the rear and sides. The replacement building would comprise a brick plinth with timber clad walls and tiled roof with all fenestration located on the front and southern side elevations. The amended

¹ As set out in the letter dated 11 February 2020 by Alcock Lees Partnership Limited and the Report of the Condition of the Building by David A Hargreaves dated February 2021

² Adopted 8 March 2000

plan would address the Council's concerns relating to the previously proposed use of masonry on the gable elevations.

10. On the front elevation, fenestration would include ground to eaves level glazing down the centre of the building, two dormer windows with timber slats, and seven roof lights. A carport at the northern end of the proposal would provide a parking area leading through to the rear garden. The glazing and carport on the front elevation of the proposed building would mark it out as a distinctly modern residential building, near other contemporary residential buildings at the rear of the historic buildings that front onto Church Street. Notwithstanding the presence of neighbouring modern residential buildings, these particular design features would not relate well to the proposal's surroundings.
11. Although I have been referred to other local buildings with roof lights and/or ground to eaves level glazing, these are not notable features of the CA. They do not create a context within which the proposed front elevation fenestration arrangement would comfortably integrate with its surroundings. Those other developments referred to do not appear to share circumstances sufficiently similar to the proposal to justify harm to the character and appearance of the CA.
12. There are small areas of glass tiles on the roof of the existing building. On its front elevation, there are a number of door openings and a large open section where I am advised a pent roof previously protruded. These contribute to the appeal building appearing as an historic agricultural building. I note a certificate of lawful use or development³ (the LDC) confirms the use of part of the existing building for the garaging of three domestic motor vehicles was found to be lawful, but this has not significantly altered the agricultural appearance of the building.
13. The proposed dormer windows would seek to reflect the form of the pitching door, while the proposed brick plinth, timber cladding and tiled roof would emulate the existing finishes of the appeal building. Even with these design features, the overall arrangement of the proposed front elevation would not sympathetically imitate a high-quality barn conversion or otherwise preserve the historic vernacular appearance of the building. The carport and extent of glazing proposed would create a cluttered and intense front elevation which would relate poorly to its modest surroundings and would not comprise high quality design. This would not be clearly appreciable in views along the street. It would, however, be seen from neighbouring properties and would harm a small number of views within the CA.
14. The level of harm which would be caused to the significance of the CA would therefore be low, but the proposal would fail to preserve or enhance the character or appearance of the CA. The listed building at 53 Church Street is experienced alongside the shared access drive, with contemporary buildings to the rear. Although the proposal would cause a low level of harm to the character and appearance of the area, it would have a neutral effect on the setting and significance of the listed building compared to the existing appeal building. This would be on account of the proposal having a negligible impact on how that listed building is experienced.

³ The Council's reference S/0906/11

15. The proposal would cause 'less than substantial harm' to the significance of the CA, as referred to by the National Planning Policy Framework. I assign great weight to that harm. My attention has not been drawn to any public benefits associated with the proposal, but it is clear that the provision of a new dwelling would create a public benefit by increasing housing supply in place of a building in a poor state of repair. It has not been demonstrated that the proposal is an appropriate means of achieving any such benefit or that any significant weight should be assigned to this benefit. There are no public benefits worthy of sufficient weight which would outweigh the harm.
16. The proposal would therefore fail to accord with Policies NH/14 and HQ/1 of the South Cambridgeshire Local Plan (2018) (LP) and the guidance at section 9.1 of the Gamlingay Village Design Guide Supplementary Planning Document (2020). These set out that development which sustains and enhances the significance of heritage assets and creates high quality environments responding to local heritage character will be supported, and that all new development must be of high quality design which preserves or enhances the character of the local area and conserves or enhances historic assets, amongst other things.

Living Conditions

17. Garden space is shown to be provided to the rear and sides of the proposed building. These spaces would be connected by very small gaps on the rear corners of the proposed building. It would create an irregular and tightly arranged garden layout, which would be generally short in depth and likely to receive poor natural light. Its contrived layout between the blank rear elevation of the proposed building and plot boundaries would inevitably create an uncomfortable and enclosed area. The appellant has calculated the combined area of these spaces would amount to 45 sqm.
18. The Council's District Design Guide Supplementary Planning Document⁴ (the District Design Guide) advises that private gardens should be of a size and shape to allow effective use for the number of people the property is designed for, with two bedroom houses ideally having access to private garden space of 40 sqm in urban settings. The District Design Guide also notes that historically, in some villages, private gardens are small, in the context of which it may not be appropriate to provide private amenity space in accordance with the above guidelines.
19. The proposed private amenity space would exceed the size which the District Design Guide advises should ideally be provided to serve a two bedroom house in an urban area. However, the quality of that private amenity space would be extremely poor, leaving a small area of useable garden space, which would be of low value to future occupants due to the overbearing impact of the proposed dwelling and poor access to natural light. The proposed private amenity space would not accord with the District Design Guide because it would not allow effective use for future occupants.
20. The lack of good quality useable private amenity space proposed in this location, which would be accessible only from the front of the appeal site, would create extremely poor, unacceptable living conditions for future occupants. The living environment of the proposed building, with windows

⁴ District Design Guide: High Quality and Sustainable Development in South Cambridgeshire (2010)

serving habitable areas restricted to the front elevation, would not be of sufficient quality to make this private amenity space acceptable.

21. Garden areas serving neighbouring properties appeared to be small, which is not surprising considering the historic arrangement of buildings and plots. This context to the appeal site does not lead me to find it would be reasonable to allow unacceptable living conditions for future occupants of the proposal.
22. The proposal would therefore fail to accord with Policy HQ/1 of the LP and the District Design Guide. These require, amongst other things, and in addition to the above, development to be of high quality design.

Parking

23. The proposed carport would measure 5.3m wide by 4.6m deep, being able to provide necessary bicycle storage and passing space to the sides. This would not provide the minimum depth of 6m set out in Policy TI/3 and the District Design Guide. It has not been suggested that the proposed carport would be too narrow to provide the relevant number of parking spaces.
24. The Council has previously approved planning permission for other, subsequently amended development proposals, which proposed parking spaces within the existing appeal building. The existing appeal building is also 4.6m deep and benefits from the LDC. However, based on the submitted plans, the existing building is located in a slightly different position to where the proposed building would be positioned, with its front elevation set further back from the shared access drive. The front edge of the proposed carport would therefore be closer to the shared access drive than the existing building.
25. The shared access drive currently provides a cramped parking and turning area. Vehicles projecting out of the proposed carport into the shared access drive would make vehicle manoeuvres in this area even more difficult. The appellant has advised that an average hatchback car has a length of 4.2m and an average saloon/estate car has a length of 4.6m. These figures have not been challenged by the Council.
26. The proposed carport opens into the rear garden. It therefore appears likely that if any future occupants of the proposal were to park vehicles slightly exceeding 4.6m in length within the carport, those vehicles would overhang into the garden, rather than the shared access drive. Based on the average car lengths presented, this would be on account of the minimal extent of any overhang and to avoid making the shared access drive any more difficult to manoeuvre in.
27. The proposal would fail to accord with the minimum size requirement for residential car ports set out in Policy TI/3 and the District Design Guide. However, considering the above, this would not prevent the carport from being effectively used for the parking of cars. There is no evidence that the proposal would cause material harm to highway safety or in any other regard. The proposal would therefore provide acceptable parking provision and ensure that the development would be accessible.

Biodiversity

28. A Protected Species Survey⁵ (PSS) has been submitted as part of the appeal. This found no evidence of bats or barn owls within the appeal building, although old songbird nests were present. It concludes that the appeal building is of negligible potential to support bats and sets out recommended mitigation measures to be followed prior to the demolition of the appeal building which would reduce any potential impact upon bats and nesting birds.
29. The Council has not commented on the PSS and there is no suggestion that the proposal would have the potential to harm any protected species other than those referenced in the survey. Based on the information provided, I am satisfied that the proposal would be capable of not causing harm to protected species and maintaining biodiversity. The proposal would therefore be capable of complying with Policy NH/4 of the LP, which requires development to maintain, enhance, restore or add to biodiversity and avoid causing any harm to protected species, amongst other things.

Conclusion

30. The proposal would fail to preserve or enhance the character or appearance of the CA and would fail to provide acceptable living conditions for future occupants with regard to private amenity space. It would not harm the setting of listed buildings, fail to provide adequate parking provision, or fail to maintain biodiversity. There are no material considerations that indicate my decision should be made other than in accordance with the development plan, taken as a whole. Therefore, for the reasons given, I conclude that the appeal should not succeed.

L Douglas

INSPECTOR

⁵ By The Greensand Trust, dated November 2021