
Appeal Decision

Site visit made on 23 September 2022

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 14 October 2022

Appeal Ref: APP/P0240/W/21/3288218

74 Church Lane, Arlesey SG15 6UX

- 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 Richard Hall against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/03716/FULL, dated 10 August 2021, was refused by notice dated 30 November 2021.
 - The development proposed is described as, 'to change current hipped roof to flat roof sloping right to left.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act) requires special regard to be paid to the desirability of preserving the building or its setting. I have therefore had regard to this statutory duty in my assessment of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the setting of the Grade I listed Church of St Peter (Church).

Reasons

4. The Church is a Grade I listed church, parts of which date from the early 13th century according to the listing. As such the special interest of the church, insofar as is relevant to this appeal, lies in its medieval origins and evidence of prominent historical ecclesiastical architecture with original detailing. The area surrounding the Church is characterised by dwellings of varied forms but of traditional styles and materials that provide a pleasant semi-rural and traditional character that contribute directly to the special interest of the Church.
5. The appeal site lies roughly opposite to the church and given its close proximity, lies within its setting. The existing building is a modest structure with a pitched roof that is in keeping with the local character and therefore provides a neutral contribution to the setting of the church.
6. The proposal would alter the roof of the existing garage to a flat roof that would be roughly at the height of the ridge of the existing building. As such the massing of the building would increase. Moreover, the flat roof of the garage would result in a form that would appear incongruous in the area which has

largely traditional forms with pitched roofs. Therefore, the proposal would have a discordant effect on the traditional character of the area and setting of the listed building, thereby resulting in harm to the significance and special interest of the church.

7. While there are examples of garages with flat roofs in the area, these are mostly set back from the associated dwellings such that they do not appear prominent in the street scene and when viewed from the church. In contrast, the existing garage is set forward of the host dwelling and given its siting can be seen from the church. Therefore, the increased massing and form of the proposed garage would harmfully alter the spacious traditional character of the area and setting of the listed building.
8. There are tall trees along the boundary of the site which partially restrict views of the garage. Nevertheless, glimpses of the existing garage can be seen from outside the church. Furthermore, the permanence and degree of screening of the trees cannot be guaranteed and, in any event, lie outside the appeal site. As such, they cannot be relied upon to safeguard the significance of the Church.
9. Consequently, the proposed development would erode the setting of the Grade I listed building, thereby causing harm to its special interest.
10. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have a clear and convincing justification. Given the limited scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. I note the evidence regarding the structure and insulation of the existing roof. However, the appellant has not highlighted any public benefits that weigh against the harm that would be caused.
11. The proposal would harm the significance of the listed building by reason of its impact on the setting, and in the absence of any defined public benefit, I conclude that, on balance, the proposal would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with the development plan.
12. More specifically, the proposal would conflict with Policies HQ1 and HE3 of the Central Bedfordshire Local Plan 2015 – 2035 July 2021 which seek, among other things, to reinforce the local distinctiveness of the area and preserve the setting of the asset/s and its historic significance.

Conclusion

13. For the reasons given above, the appeal is dismissed.

R Sabu INSPECTOR