
Appeal Decision

Site visit made on 29 June 2022

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/W0530/W/21/3283562

59 Ermine Way, Arrington, SG8 0AG

- 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 Karl Lattion against the decision of South Cambridgeshire District Council.
 - The application Ref 21/01607/FUL, dated 23 March 2021, was refused by notice dated 28 July 2021.
 - The development proposed is erection of 1 no. eco dwellinghouse.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of development in the banner heading above from the Council's decision notice. It more simply and succinctly describes the proposal than the lengthy description contained within the planning application form, which includes phrases which are not acts of development and relate more to the asserted merits of the proposal.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the setting of the Grade II listed buildings at nos. 57 and 59 Ermine Way.
 - Whether the proposed dwelling would provide acceptable living conditions for future occupants with regard to internal space.

Reasons

Internal layout

4. Policy H/12 of the South Cambridgeshire Local Plan adopted in 2018 (LP) states, 'New residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.'
5. The Government's 'Technical Housing Standards – Nationally Described Space Standard' (NDSS) requires that a single storey, 2-bedroomed, 3-person dwelling has a minimum gross internal floor area (GIA) of 61 square metres (sqm). For a single storey, 2-bedroomed, 4-person dwelling, the NDSS sets a

- minimum GIA of 70 sqm. Additionally, in order to provide enough space for two bedspaces, the NDSS requires, a minimum GIA of 11.5 sq m for a double (or twin) bedroom.
6. The proposed dwelling is single storey and includes 2 bedrooms, both of which are shown on the submitted plans as containing double beds. The appellant does not dispute the Council's finding that the GIA of the proposed dwelling, at 60.5 sqm, would not meet the minimum GIA requirement of the NDSS for a single storey, 2-bedroomed, 3-person dwelling. Furthermore, the appellant accepts that the larger of the proposed bedrooms, with a GIA of 11.2 sqm, would not meet the minimum GIA for a double bedroom as required by the NDSS.
 7. Consequently, the proposed dwelling, by virtue of its internal layout and overall GIA, would fail to meet the minimum requirements of the NDSS for a single storey, 2-bedroomed, 3-person dwelling. The Council has incorporated the NDSS into LP Policy H/12 and the appeal proposal is, therefore, in conflict with that policy. The explanatory text to LP Policy H/12 advises that, 'the provision of sufficient space within new homes is an important element of good residential design and will ensure a reasonable level of residential amenity and quality of life, and that there is sufficient space, privacy and storage facilities to ensure the long term sustainability and usability of new homes.' As such, the failure to meet the minimum space standards set out within the NDSS would result in unacceptable living conditions for future occupants with regard to internal space. The weight to be given to this harm, and to the identified policy conflict, would, however, be limited given the marginal extent of the shortfall in meeting the space standards required by LP Policy H/12.

Heritage

8. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in making decisions on planning applications and appeals which affect a listed building, special attention is paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
9. The appeal site is at the southern end of Arrington village and currently forms part of the garden to the south of no 59 Ermine Way. No 59, together with no 57, its attached neighbour to the west, form a pair of Grade II listed cottages. The listing description advises that the cottages date from the late 17th century and that they are timber framed and rendered, with a half hipped long straw thatched roof. Whilst the original cottage has been subdivided and extended, the resultant pair of cottages have, nonetheless, retained much of the original historic character and features of interest. The significance of nos 57 and 59 as heritage assets lies partly in the evidential value of their historic fabric, but also in their illustrative value as part of the rural history of the locality, and their aesthetic value as charming and characterful dwellings.
10. The site lies to the front of the listed buildings and its undeveloped character forms an important element in outward views from the listed buildings' dormer windows. As the southern edge of the village is approached along Ermine Way, the undeveloped nature of the site is also perceived in the foreground of important frontal views towards nos 57 and 59. The site is, therefore, a major visual element in the setting of the listed buildings.

11. Notwithstanding the visual relationship between the listed buildings and the site, the Planning Practice Guidance¹ (the Guidance) is clear that the way in which a heritage asset is experienced in its setting is also influenced by the understanding of the historic relationship between places. I find the site to contribute to the sense of space and rural tranquillity, characteristic of the wider countryside surrounding the listed buildings. As such, the undeveloped site helps to preserve a sense of timelessness and a connection to the listed buildings' rural past, which also contributes to their heritage significance.
12. I acknowledge that the dwelling would be low profile and that existing intervening landscaping on Ermine Way, and to the south of the listed buildings, would reduce its visual impact. I also acknowledge that the dwelling would be intentionally contemporary in design and appearance and that the National Planning Policy Framework (the Framework) advises against discouraging appropriate innovation and change. However, the Framework also sets out that it is proper to seek development that is sympathetic to local character and history, and that maintains a strong sense of place.
13. Whilst modern development exists to the north of the listed buildings, and a modern garage directly abuts them, it is the space to their front that is most important in revealing their significance. In my view, the proposed design and form of the dwelling would be too far removed from the traditional character and appearance of the listed buildings. I am not persuaded that the permanence or effectiveness of any screening vegetation could be guaranteed, and the development would, therefore, harmfully interfere in sensitive views to and from nos 57 and 59. Furthermore, the contribution that the undeveloped site makes in connecting the listed buildings' to their rural past and open countryside hinterland would be diminished. Consequently, the development would undermine the ability to appreciate the architectural integrity and heritage significance of the listed buildings, causing harm to their setting. That harm would be less than substantial, and paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.

The Heritage Balance

14. I attribute great weight² and importance to the conservation of designated heritage assets, understanding that heritage assets are an irreplaceable resource. As such, I give great weight to the identified harm to the setting and significance of nos 57 and 59.
15. The PPG³ advises that, 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework'.
16. I acknowledge that the proposal would make a limited contribution to the Government's objective of significantly boosting the supply of homes and that future residents would contribute to the vitality of the rural community. However, as the proposal is for only a single dwelling, these benefits attract limited weight. I also note that it is intended for the dwelling to be sustainably constructed and to be highly energy efficient. I have no substantive evidence

¹ Paragraph: 013 Reference ID: 18a-013-20190723 - Revision date: 23 07 2019

² Framework paragraph 199

³ Paragraph: 020 Reference ID: 18a-020-20190723 - Revision date: 23 07 2019

with regards to the level of energy efficiency that would be achieved by the dwelling and can therefore give only limited weight to these benefits.

17. The public benefits of the scheme do not, therefore, outweigh the great weight given to the harm to the setting and significance of the listed buildings. The proposals would be contrary to LP Policies HQ/1(1.b), H/16(b.vi), NH/14 and the Council's Listed Buildings SPD (2009), which, taken together, require development proposals, amongst other things, to conserve or enhance important historic assets and their setting. Furthermore, the proposal would also conflict with the Framework's aim to conserve heritage assets in a manner appropriate to their significance.

Other Matters

18. I have been referred by the Council to an earlier dismissed appeal⁴ on the site relating to a proposal for a single storey dwelling. Notwithstanding the changes in relevant policies since the time of the earlier decision, the circumstances of the heritage assessment of the setting of nos 57 and 59 are substantially comparable with the current appeal. As such, the previous appeal decision is a material consideration and I attach moderate weight to its findings against the current proposal.

Conclusion

19. I find the proposal would conflict with the development plan when read as a whole. There are no other considerations or benefits, including the Framework, that outweigh this conflict.
20. For the reasons above, the appeal is dismissed.

S D Castle

INSPECTOR

⁴ PINS Ref: APP/W0530/A/11/2166374