



Appeal Decision

Site visit made on 6 September 2022

by R Norman BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2022

Appeal Ref: APP/W0530/Y/21/3288036

1 May Street, Great and Little Chishill, SG8 8SN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Tristram Alexander against the decision of South Cambridgeshire District Council.
 - The application Ref 21/01058/LBC, dated 28 May 2021, was refused by notice dated 9 November 2021.
 - The works proposed are Rebuild the condemned boundary flint wall that was condemned county council in April 2020 .
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The works to rebuild the wall have been carried out. I am therefore assessing it as built.

Main Issue

3. The main issue is whether the proposal i) preserves the Grade II listed building, 1 – 5 May Street and Hope Cottages, 2 – 8 Hall Lane and its setting; ii) preserves the setting of the adjacent Grade II* listed building, Parish Church of St Swithun, Barley Road; and iii) preserves or enhances the character or appearance of the Great Chishill Conservation Area.

Reasons

The Special Interest and Significance

4. The appeal relates to the boundary wall at 1 May Street which forms part of a Grade II Listed Building comprising 1 – 5 May Street and Hope Cottages, 2 – 8 Hall Lane. Their list entry number is 1309603. This group of cottages curve around the corner of the junctions of May Street and Hall Lane. They are set on a cross roads in a prominent position due to their elevation above the road, and are located opposite St Swithun's Church which is a Grade II* Listed Building, list entry number 1128142.
5. The properties form a planned unit of two ranges which are linked by cottage No 1 and are white rendered with slate roofs and a series of brick chimney stacks. The special interest and significance of the listed building is largely derived from its historical and architectural interests as a group of cottages displaying traditional features and scales. The properties' location, curved façade and elevation above the road level make them a visually prominent

feature. The linking role of No 1 within the planned unit verifies its importance within the group and listed building as a whole. Additionally, No 1's historic boundary treatment in terms of its traditional construction and materials also contributed to the listed building's special interest and significance. The corner position of the site and the wider listed group, as well as their legibility and relationship within the context of the Church, further add to the significance and historic interest.

6. The Grade II* Church is set diagonally opposite the appeal site and was originally constructed in the 1200s with subsequent areas of repair and rebuilding throughout the years. It is set back from the crossroads and is elevated above the road. From the appeal site and the road the Church and its associated land and boundaries is very prominent and forms a focal point within the surroundings. It displays a number of historic and traditional features which, in conjunction with its immediate and wider setting including listed and traditional buildings, contributes to its overall significance.
7. The appeal site also falls within the Great Chishill Conservation Area. The Conservation Area comprises a relatively small area, based around the crossroads and the landmark Church Building, with historic ribbon development radiating out from this point. There are examples of traditional boundary treatments which provide strong defensible boundaries within the Conservation Area. The appeal site therefore occupies a prominent and key location which, in proximity to the Church, means that it positively contributes to the character or appearance of the Conservation Area as a whole and thereby to its significance as a designated heritage asset.

The appeal proposal and its effects

8. The appeal works consist of the rebuilding of the historic flint wall, which has been carried out. The original wall was subject to structural issues as a result of the lime trees which had caused the wall to lean towards the road. In addition, I understand that parts of the wall had been rebuilt previously. As a result of these issues, the Council raised no objections to the principle of the wall being rebuilt, subject to precise details of the materials and their application.
9. Section 16(2) of the Listed Buildings and Conservation Areas Act 1990 (the Act) require me to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest it possesses. Section 72(1) of the Act also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
10. Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
11. From the evidence before me it is clear that the previous wall was not of the same age and quality as other historic walls in the vicinity. Nevertheless, it demonstrated a traditional form and height, with traditional materials. It also reflected the historic character of the other walls and as such related to the

historic boundaries in the area and positively contributed to the heritage merit of the appeal site and the area.

12. The Council consider that the capping stones and brickwork are suitable and based on the evidence before me I have little that would lead me to disagree with this view in the context of the surrounding area. Although the works to rebuild the wall have used flintwork blocks, the form and layering of these are noticeably more linear and uniform than the other examples of these historic walls. As a result, the wall appears too regular and uniform when compared to the surrounding boundary walls. When viewed in the context of its surroundings the wall is out of character and at odds, and this is exacerbated by its prominent position within the area. I note the original comments from the Conservation Officer dated 24 June 2021 which acknowledge that the materials being used are reasonable, however states that the flintwork and construction is not adequate. The Conservation Officer raises no objection subject to the approval of a trial panel of denser flintwork.
13. The Appellant has provided a large number of documents relating to the planning process leading up to the refusal of permission and this appeal and I note that a previous permission was granted to replace the wall, 20/02001/LBC and I have noted the Conservation Officers comments in relation to the discharge of materials sample condition 20/02001/CONDA. However, based on the evidence before me, it is not clear that the works that have taken place accord with the details provided previously and the specific form and layout of the flintwork is at odds with the surroundings which limits the weight I can give to these comments.
14. Accordingly, I conclude that the rebuilt wall fails to preserve the Grade II listed building, 1 – 5 May Street and Hope Cottages, 2 – 8 Hall Lane and its setting, and fails to preserve the setting of the adjacent Grade II* listed building, Parish Church of St Swithun, Barley Road. It also fails to preserve or enhance the character or appearance of the Great Chishill Conservation Area. In doing so, the proposal does not meet the statutory requirements set out above and conflicts with Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018. Together these seek to ensure that development conserves or enhances important natural and historic assets and their setting, is compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour and sustains and enhances the significance of heritage assets, including their setting, amongst other things.

Other Matters

15. A letter of support from a neighbouring resident has been received which considers that the new wall is a visual improvement on the previous one. Whilst I understand this, for the above reasons, the wall as constructed fails to preserve or enhance the setting of the heritage assets.

Planning Balance

16. In accordance with paragraphs 201 and 202 of the Framework, it is for the decision maker, having identified collective harm to the designated heritage assets, to consider the magnitude of this harm. In this case, I consider the harm to be less than substantial given the extent of the works and their effects, nevertheless I give this considerable importance and weight in the

planning balance. The harm must therefore be weighed against the public benefit of the works.

17. I consider that the replacement of a condemned wall that had been subject to patchy repairs and was in poor condition can be seen as a benefit. However, the Council note that as the original wall has been replaced this benefit no longer applies. I acknowledge that the benefits have already been realised as the wall is built and there would have been some limited economic benefits through its construction. No further public benefits have been identified. I consider that these are not sufficient to outweigh the considerable importance and weight that I give to the less than substantial harm.
18. I therefore find that the appeal works fail to preserve the Grade II listed building, 1 – 5 May Street and Hope Cottages, 2 – 8 Hall Lane and its setting, and fails to preserve the setting of the adjacent Grade II* listed building, Parish Church of St Swithun, Barley Road. It also fails to preserve or enhance the character or appearance of the Great Chishill Conservation Area. It therefore fails to accord with the statutory duties of the Act, the relevant policies of the Development Plan and the Framework. The harm identified is not, in this case, outweighed by the public benefits put forward by the Appellant.

Conclusion

19. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR