



Appeal Decisions

Site visit made on 5 December 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 3 January 2024

Appeal A Ref: APP/W0530/W/23/3315158

19 Main Street, Stow cum Quy, Cambridgeshire CB25 9AB

- 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 Gilbert Holmes against the decision of South Cambridgeshire District Council.
 - The application Ref 22/03876/FUL, dated 30 August 2022, was refused by notice dated 23 November 2022.
 - The development proposed is conversion of a timber-framed barn into a dwelling.
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Appeal B Ref: APP/W0530/Y/23/3315154

19 Main Street, Stow cum Quy, Cambridgeshire CB25 9AB

- 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 Gilbert Holmes against the decision of South Cambridgeshire District Council.
 - The application Ref 22/03877/LBC, dated 30 August 2022, was refused by notice dated 23 November 2022.
 - The works proposed are conversion of a timber-framed barn into a dwelling.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. There are two appeals on this site. They relate to the planning application and listed building consent for the same scheme. To avoid duplication, I have dealt with them together, except where otherwise indicated.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the Council issued its decision. In this instance, the relevant changes only relate to paragraph numbering and do not fundamentally affect the substance of the matters under appeal.
4. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 195 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Main Issues

5. The main issues in both appeals are:

- Whether the proposal would preserve the curtilage listed building known as the timber framed barn or any of the features of special architectural or historic interest that it possess.
- Whether the proposal would preserve the setting of the Grade II listed building known as 19 Main Street; and
- The effect of car parking on the character and appearance of the area (Appeal A only).

Reasons

The listed building

6. As 19 Main Street (Ref 1331324, listed in 1984) is the designated listed building, the setting of which is affected by the proposals, it is appropriate to consider the significance of this structure first. The list description identifies the building as a cottage, possibly 18th century, of plastered timber frame construction and painted brick with a predominantly straw thatched roof. The significance of this building, in so much as it relates to the appeal before me, is largely derived from its considerable age, its linear plan form and its historic fabric. These attributes, along with its distinctive vernacular appearance, mark it as an important survival of an historic dwelling. Despite some later alterations, the status and significance of this cottage is clearly apparent, and this is reinforced by its context.
7. This context is a combination of the building's prominent location within the historic streetscape, the pattern of development and the relationship of the buildings to the spaces around them. Also, it is in part defined by the surviving buildings grouped around the listed cottage and yard which add to that interest. Although ancillary buildings adjacent to the house express their own architectural interest, the substantial form of the appeal building is conspicuous from the roadside. With its timber framing it is recognisable as an historic, vernacular building associated with the listed cottage. As a curtilage listed building, it embodies a measure of architectural and historic interest in its own right. It also comprises a key element of the setting of the listed cottage, thus unequivocally contributing to its significance as a designated heritage asset.
8. The appellant's Heritage Statement (HS) suggests that the timber framed barn may date from the 18th century and has a rectangular footprint with an added cross-gable extension. Although described as a barn it has had a variety of uses and there is a suggestion that it may well have been a dwelling. Despite recent remedial work, it still clearly reads as an ancillary, functional historic building with an agricultural character associated with the listed cottage and retains significant historic fabric and interest which adds to the sum significance of the building grouping.
9. The appellant has provided minimal architectural drawings and specifications with the applications, with the intention of supplying more detailed information at a later stage. However, adequate information must be provided prior to determination to enable an assessment of the likely impacts on the significance of the heritage assets. This is necessary to ensure that decisionmakers can demonstrate that their statutory duty with regard to Section 16(2) and 66(1) has been observed. It is very apparent to me that the information provided is

woefully inadequate given the historic significance of this building and its sensitivity to change, and its surrounding historic context.

10. Although the proposed conversion largely works with the existing openings, several rooflights are proposed to be installed on the rear and south-west facing roof slopes, together with new and adjusted openings to the rear elevation. Significant changes are also proposed to the interior, together with new windows and doors.
11. The proposed internal floorplan is substantially lacking in detail with no fixed location for the stairs or indication of the first floor layout nor explanation of how the first floor would be installed. As a former outbuilding, the internal character, including its height and sense of space, is an essential part of its significance and it needs to be demonstrated that this character would be retained through the conversion. Furthermore, there is no assessment of how the timber framing or other historic fabric would need to be adapted to accommodate the conversion. There is also a need to provide a full understanding of the implications of the Building Regulations with regard to the proposed fire, ventilation and thermal upgrading which could all significantly affect the integrity and visual appearance of the building. There are also no adequate joinery details of the windows and doors to demonstrate that the character of the building would be retained. All these matters are, in my view, pivotal to the acceptability of the scheme at the outset and cannot be left to be dealt with by planning conditions.
12. The existing building currently contains no rooflights and I have no adequate evidence that these are a traditional feature associated with a building of this type. With no internal first floor layout, the number and position of the proposed rooflights nor the proposed window in the rear gable cannot be justified.
13. Considering all of the above, it has not been demonstrated that the proposed development/works would preserve the special architectural and historic interest of the building in accordance with the expectations of the Act and paragraph 205 of the Framework, which anticipates great weight being given to an asset's conservation. It follows also that the proposals would not preserve the setting of the Grade II listed building, again in accordance with the Act. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of those assets and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage assets as a whole, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal.
14. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use. The proposal would find a new, long-term use for the barn and it may be that conversion to residential use is the building's optimal viable use. Also, that the works would improve the thermal performance of the building. However, in the absence of adequate details and justification it has not been demonstrated that the scheme before me would protect the significance of the heritage assets. Therefore, at this

stage that benefit cannot be justified. It is suggested that the proposal would contribute to the character and distinctiveness of the area but owing to the lack of detail this point has not been adequately made.

15. The proposal would result in a new dwelling within the settlement, adding to the overall stock of residential dwellings, and this would support the vitality of the community as well as other services and facilities. However, the contribution in respect of these matters would be modest. It would also provide some construction jobs, but this would be limited to the duration of the works and be minor in scale. Overall, these benefits would carry limited weight. It is also suggested that the title deed of the barn contains a restrictive covenant stating that it cannot be used for any purpose other than a private dwelling. However, I have no adequate details of this and in any event, this is a private matter which I cannot see is relevant to the planning merits of the case.
16. Given the above, I conclude that the public benefits identified would be of insufficient weight to outweigh the great weight to be given to the harm to the Grade II listed building. As such, the proposal would not comply with paragraph 208 of the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the listed building. Hence, the proposal would fail to satisfy the requirements of the Act and the Framework. It would also conflict with South Cambridgeshire Local Plan (SCLP) Policies HQ/1 and NH/14 that seek to support and underpin these statutory and policy objectives.

Character and appearance (Appeal A)

17. The parking standards stated in SCLP Policy TI/3 are described as 'indicative' and when read alongside the supporting text and South Cambridgeshire District Guide SPD (2010) it is explained that these standards can be tailored to reflect the location of development. Whilst it is clearly desirable to provide two parking spaces for the proposed dwelling, especially given its rural location, I recognise that the roadside hedge contributes to the character and appearance of the historic settlement as well as to the setting of the listed building. Previous applications have sought to provide parking to the frontage, but this has been resisted for these reasons. I am also aware that in order to provide a beneficial use for this building with seemingly no other available options for parking, the parking standards may need to be tailored given the circumstances.
18. Parking already occurs in the wider parts of Main Street without any apparent harm to the character and appearance of the area and during my visit I saw a few opportunities for parking with more spaces available within a reasonable walking distance. Whilst I have no indication as to where the residents of the proposed dwelling would park, I have nothing before me to suggest that parking would occur on the narrow part of the street at the front of the site or that up to two additional cars would lead to excessive parking in the public highway creating an unsightly street environment.
19. Therefore, the proposed car parking arrangements would not cause harm to the character and appearance of the area and would comply with SCLP Policies TI/3, HQ/1, and the SPD. These policies seek to secure development that preserves or enhances the character of the area and appropriately respond to the site context.

Other Matters

20. The appellant has expressed concerns regarding the conduct of the Council during the determination of the applications. However, these are matters best addressed by the Council and do not relate to the merits of the appeals before me.

Conclusion

21. Although I have found that the proposed car parking arrangements would cause no harm to the character and appearance of the area, the harm in the context of the significance of the designated heritage assets as a whole commands considerable importance and weight. Therefore, for the above reasons, and having regard to the development plan as a whole and all other material considerations, I conclude that both appeals should be dismissed.

G Bayliss

INSPECTOR