

Appeal Decisions

Site visit made on 16 September 2024

by R Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2024

Appeal A Ref: APP/W0530/W/23/3331721

Oxcroft Farm, Honey Hill, West Wratting, Cambridgeshire, CB21 4DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal of planning permission.
 - The appeal is made by Mr & Mrs J Smith against the decision of South Cambridgeshire District Council.
 - The application Ref: is 23/02918/HFUL.
 - The works proposed are single storey rear extension and minor internal alterations.
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Appeal B Ref: APP/W0530/Y/23/3331719

Oxcroft Farm, Honey Hill, West Wratting, Cambridgeshire, CB21 4DX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs J Smith against the decision of South Cambridgeshire District Council.
 - The application Ref: is 23/02919/LBC.
 - The works proposed are single storey rear extension and minor internal alterations.
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For Appeal A this decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 8 November 2024.

Decisions

Appeal A - APP/W0530/W/23/3331721

1. The appeal is dismissed.

Appeal B - APP/W0530/Y/23/3331719

2. The appeal is dismissed.

Procedural Matters

3. The Council's officer report refers to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Having sought further clarification, it was confirmed that the site is not located within a conservation

area. As the proposal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Act in my determination of these appeals.

Main Issue

4. The main issue in both appeals is whether the proposal would preserve the special architectural and historic interest of the Grade II listed building.

Reasons

5. The building subject to this appeal is an 18 Century Dovecote constructed from red brick with a hipped plain tiled roof and a gablet to the front and rear that provided Dove access and nesting space inside for the rearing of squabs. It was listed in 1986 has an established residential use and has benefited from substantial two storey extensions constructed in 1995 and then again in 2011. A detached garage was added in 2009.
6. I observed that those extensions were finished with painted rendered walls under a hipped plain tile roof in a deliberate attempt to distinguish between those modern additions and the historic building. To the immediate rear of the single storey element there is a steep grassed bank which slopes up to the rear, a field access and the western boundary which contains significant mature trees.
7. The special interest of the appeal building, insofar as it relates to this appeal, is the architectural, aesthetic, and historic value derived from the simple and traditional form and materials used and as repositories of past building traditions and technologies.
8. Its significance is also derived from its ancillary function as a Dovecote and functional use in association with surrounding countryside uses and activities even though the relationship with any original house it was associated with appears to have been lost over time. My overall observations were of a building with an unusual form that is simple and square in plan but one of valuable historic, aesthetic and cultural significance within a retained agrarian setting.
9. I acknowledge this is an attempt to address a previous refusal and a withdrawn application, but I agree with the Council's guidance¹ that a heritage asset does not have an infinite capacity for alteration and extension. The building's simple form has already been converted to residential use and then been subject to cumulative extensions in association with that use.
10. I also acknowledge that the proposal would be sited at the rear and partially enclosed on one side by the bank with mature trees beyond. As such, there would be no wider views of the extension. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public or private views of the building can be gained.
11. The internal alterations would be minor, but the further elongation proposed would roughly double the size of this part of the ground floor accommodation and add a significant further expanse of roof. Although the chimney and its stack would be retained because the internal fireplace is being reversed, a

¹ SCDC Listed Building Supplementary Planning Document.

later but nonetheless attractive external chimney feature would be removed. There would also be significant engineering works to the bank and the construction of a retaining wall.

12. At my site visit from a significant number of viewpoints around the building my eye was noticeably and unacceptably drawn to those later extensions and away from the Dovecote. The siting, scale and mass of the proposal and the extent of engineering works would clearly exacerbate this negative effect. Despite the use of appropriate materials, the proposal would harmfully detract from the appearance and primacy of the historic Dovecote eroding its significance. This would be to such an extent that I find in both appeals the proposal would fail to preserve the building and its special architectural and historic interest.
13. I am determining both s20 and s78 appeals but listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004. Although such appeals do not therefore need to be determined in accordance with the plan, the relevant provisions are still capable of being material considerations.
14. The National Planning Policy Framework (the Framework) advises that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting. Any such harm should have a clear and convincing justification. In the terms of the Framework, I find the harm from the works (which are also development) to be less than substantial but nevertheless of considerable importance and weight. Case law has established decision makers are not obliged to place such harm somewhere on a spectrum to reach a conclusion for the purposes of the necessary balancing exercise².
15. Under such circumstances, the Framework advises that the harm should be weighed against the public benefits of the proposal. The proposal would provide additional accommodation for the appellant's family with a 'casual family space' that could also provide ground floor sleeping accommodation in the future, but it has not been put to me that the latter is required now. Accordingly, at this point and on the evidence before me this would be a private benefit.
16. There would be some economic benefits accrued through the construction stage, but these would be small given the scale of the proposal. There is no substantive evidence that the continued viable use of the appeal property as a residential dwelling is dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. The benefits would not outweigh the considerable importance and weight that I must give to the less than substantial harm that would occur.
17. In Appeal A the proposal would therefore fail to preserve the special architectural and historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, the Framework and would conflict with Policies HQ/1, S/2 and NH/14 of the South Cambridgeshire Local Plan 2018 that seek amongst other things and taken as a whole, to ensure all development is of a high-quality design, conserves or enhances historic assets

² *Shimble v City of Bradford MBC* [2018] EWHC 195 (Admin).

and is appropriate in terms of scale, form and proportion. As a result, the proposal would not be in accordance with the development plan.

18. In Appeal B the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, the Framework and development plan policies insofar as relevant.

Conclusion

19. For the above reasons and having regard to all other matters raised I conclude that both Appeal A and Appeal B should be dismissed.

R Aston

INSPECTOR