



Appeal Decision

Site visit made on 11 March 2025

by **R Aston BSc (Hons), DipTP, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/W0530/W/24/3354931

32 Station Road, Meldreth, Cambridgeshire SG8 6JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline and full planning permission.
 - The appeal is made by Fieldgate Nurseries Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/00935/OUT.
 - The development proposed is described as 'demolition of existing commercial units and redevelopment of site with new build commercial units and replacement farm shop and residential units'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form is clear that the application was made in outline with access and appearance to be determined at a later stage. Part E of the appeal form uses the same description as the application form as per the banner heading above but the Council changed the description of the development applied for to:

A hybrid planning application for the demolition of existing commercial units and redevelopment of site with new build commercial units and replacement farm shop and 7no. residential units consisting of a) A full planning application for 7no. residential units and, b) An outline planning application (all matters reserved except access) for new build commercial units and replacement farm shop.

3. The term hybrid is not defined in statute but is one that seeks outline permission for one part and full planning permission for another part of the site. Given the materiality of this change for my determination of this appeal and the lack of any explanation from either party I sought further clarification.
4. It is still unclear why the Council changed the development applied for so significantly but the appellant confirmed they agreed to this change and whatever the reasons may have been, an application was made, determined and an appeal has been submitted. I have therefore also determined the appeal on that same basis dealing with the two elements of the scheme, except where otherwise indicated. I have assessed the outline part on the basis of the plans being illustrative, aside from where they relate to access.
5. Revised drawings 101A 'Site Plan' and 103A 'Units 2-7 Plans & Elevations' have been submitted to seek to address objections relating to space standards and showing further visibility splay details. The Council have commented in their

evidence that the related reason on space standards is withdrawn if the drawings are accepted and provided further comments on highway effects. The substance of the scheme has not changed from what appears to be minor internal changes and additional details which the Council have commented on. I find that no party would be prejudiced by my consideration of these changes and I have therefore determined the appeal taking into account those plans as amendments and additional information to the original application submission.

Main Issues

6. Given the above the main issues in this appeal are:

- Whether the proposed development would provide a suitable site for the development, having regard to the adopted spatial strategy.
- The effect on the character and appearance of the appeal site and area.
- Protected species and biodiversity.
- Whether the proposal preserves the special architectural and historic interest of Fieldgate Farmhouse, a Grade II listed building, and its setting.
- Access and highway safety.
- Whether the loss of employment land would be acceptable.

Reasons

Suitable site

7. The site lies outside of any Development Framework (DF) boundary within the South Cambridgeshire Local Plan 2018 (the LP) and is in the countryside for planning purposes. Policy S/7 of the LP only permits development outside settlement boundaries where a site has been allocated within a Neighbourhood Plan, development for agriculture, forestry and outdoor recreation and other uses which need to be located in the countryside.
8. Residential development is not specified in Policy S/7 and no substantive reasons are given why it needs to be provided in this location. However, outside a DF residential development could be required in association with one of the specified or other uses which need to be located in the countryside or where it is supported by other policies but that also does not appear to be the case here.
9. The general aim of the policy approach is to seek to limit the level of housing that might come forward in the district's villages to ensure that services are not subject to a significant level of additional development in a short space of time. This is an important element of the sustainable development strategy, helping to direct housing and other uses to the most sustainable locations. Matters of encroachment and incremental growth into the countryside and accessibility underpin the spatial strategy and limiting the amount of new development that can take place in rural areas with few services and little or no public transport is a central plank of it.
10. The site lies broadly in between the two villages of Melbourn and Meldreth to the west of the A10 and a short walk to the railway station in Meldreth which provides access to larger settlements further afield, including Cambridge and London.

Policy S/9 defines Melbourn as a Minor Rural Centre which has a lower level of services, facilities and employment than larger Rural Centres, and performs a role in terms of providing services and facilities for a small rural hinterland. Policy S/10 defines Meldreth as a Group Village, within the settlement hierarchy, which means it provides some services and facilities to meet the day-to-day needs of its population.

11. I observed some limited facilities in the settlements commensurate with their role in the spatial hierarchy and these could be accessed by some future occupiers, visitors and local employees via a short walk or cycle. There is also a bus stop approximately 0.5 km away from the site and a network of rural public rights of way. Nonetheless, the ease of accessibility onto the A10 would also provide quick and convenient vehicular access to the wider array of services and facilities within the larger settlements of Baldock, Royston and beyond. In turn it would also be convenient for future customers and employees to access the site by private vehicle.
12. All aspects of sustainability should be considered in planning decisions, that local circumstances should be taken into account, and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. In such a rural location some occupiers might well use the bus service or walk but would also rely heavily on private motor vehicles to access employment, retail and other necessary day-to-day services and facilities further afield.
13. Whilst in reaching this view I have had regard to the fact that the site has existing commercial/employment uses and that some accessibility initiatives have been outlined¹ the site appeared to be relatively low key in its scale and activity and limited analysis is before me. Even having regard to the existing use of the site the likely number of trips associated with the proposed uses would not be insignificant and such reliance would cause some environmental harm because the proposal would not, on the evidence in this appeal, be located where it would contribute to a cumulative reduction in harmful greenhouse gas emissions, improve air quality and public health.
14. For these reasons, the proposal would not be a suitable site for the totality of the proposal in terms of the adopted development plan strategy. Whilst there would be conflict with Policies S/7 and TI/2 insofar as they only allow for countryside uses outside the plan's development frameworks and require development to be located to reduce the need to travel, particularly by car and promote sustainable travel appropriate to its location, the harm and subsequent conflicts with the policies would be moderate.

Character and appearance

15. There are some isolated pockets of development beyond the settlement boundaries and between the two settlements. This includes significant rural commercial buildings in proximity to the north and further along Station Road. However, the buildings on the appeal site are single storey and low in scale so that they are relatively unobtrusive. Its appearance with a low scale/key farm shop, storage and other uses occupying the site and single storey structures, containers and other low buildings provides a degree of visual permeability and openness

¹ Page 16 of Design and Access Statement.

through and across the site, including views of mature trees along the boundaries and the embankment of the A10.

16. The residential element of the proposal would introduce a closely knit courtyard style development with units of a considerably greater scale and height than any of the existing low scale buildings and other structures. Despite their barn style appearance in combination with overly steep roofs and what would be the retention of a large amount of hardstanding dominated by parked vehicles the proposal would provide a more built form dominated edge to this less developed part of the countryside on the southern side of Station Road.
17. Turning to the effects of the commercial elements at this outline stage the question I must consider is not whether the plans submitted, which are not marked indicative, show acceptable details because those matters are reserved. The question is whether it, along with the submitted information is sufficient to show that an acceptable scheme of the floorspace proposed is likely to be achievable on the site at the Reserved Matters stage. Whilst it does not provide an accurate proposal for the appearance, layout, scale and landscaping it is highly likely that the amount of floorspace proposed could only be expressed in a limited number of ways and would be based on the submitted drawings.
18. Although the appeal site is well screened in wider views from the elevated bridge on Station Road and the A10 by a significant belt of mature boundary trees for a significant part of the year the extent of built form would be visible from these elevated locations. Further, in this rear part of the site it would introduce more activity and a requirement for a greater amount of hardstanding for access, servicing and parking.
19. Also of relevance to this issue is the Council's reason for refusal on the grounds of a lack of information to establish whether there would be a loss of important trees that make a positive contribution to the character and appearance of the area. The application was validated without this information and it is unclear from the report on exactly what basis the Council objects other than the absence of the survey but there is also limited evidence from the appellant.
20. There are a number of mature trees on the boundaries of the site and whilst some appear to be beyond the areas intended for the residential development some would be close to the likely positions of proposed Barns 1 and 2. I accept that there is nothing before me to suggest they could not be removed without the need for planning permission and some tree protection measures could also be secured by condition. However it is important that given its significance to character and appearance that it is considered at the outline and not reserved matters stage, mindful that this matter is also not within the definition of 'landscaping'².
21. On the evidence before me and despite the commitment to low dig foundation technology, the lack of such information to demonstrate those trees would not be affected does add to the unacceptability of proposal in character and appearance terms as there is significant uncertainty as to which trees would or could be retained and any effects on them.
22. Overall the proposal would introduce development of a much greater scale and intensification of built form that would be at harmful odds with the site's rural low-

² The Town and Country Planning (Development Management Procedure) (England) Order 2015.

key character and appearance and the visual interests of its immediate surroundings. The proposal would cause harm to the character and appearance of the area and would conflict with policies HQ/1 and NH/2 of the LP insofar as they seek to protect and enhance the character of the local urban and rural area and respond to the context of the wider landscape.

Protected species and biodiversity

23. Circular 06/2005 (the circular) advises that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before a planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
24. Based on the Council's specialist ecological advice it appears that the species data demonstrates barn owl and other breeding birds, flowering plant, reptiles, bats (including western barbastelle), brown hare, badger, otter, water vole, and hedgehog have all been recorded locally. The Preliminary Ecological Appraisal (PEA) has identified all the commercial buildings on site as negligible suitability for roosting bats. However, it is unclear if the assessment has included the eastern section of the farmhouse buildings which include the conversion to residential because section 6.1 of the PEA does not mention this section. Further TN1 on Figure 4 appears to indicate all the frontage buildings including the eastern section were not assessed.
25. It has not been suggested that such surveys could be conditioned and in any event the circular also advises that this should only be in exceptional circumstances, and I do not consider that to be the case here. Overall I must be satisfied as the decision maker that protected species would not be adversely affected but the level of information in this appeal does not allow me to do so. Therefore the proposal would conflict with Policy NH/4 of the LP insofar as it requires, amongst other things, that where a proposal may affect a protected species applicants are expected to provide an adequate level of survey information and site assessment to establish the extent of the impact. Given this finding I have not considered it necessary to conclude on biodiversity net gain matters.

Heritage assets

26. Dealing with setting matters first, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The extent of setting is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
27. Fieldgate Farmhouse is a Grade II listed timber framed property dating to the 17th century, with later alterations. It has a connected 19th century red brick barn and additional timber-framed structure to the east. The listed building is a former farmhouse with ancillary buildings, which originally included additional outbuildings arranged around a rear yard and now part of the commercial uses.

28. The building derives its significance from its historic and architectural qualities notably its roof tiles, timber frame and plastered render. It is a prominent building within the street scene notwithstanding some significant soft landscaping set behind a grass verge. There is some inter-visibility between the appeal site and the listed building but I observed that the appeal site contained a relatively informal layout of low scale rural buildings that have expanded and evolved over time in a somewhat piecemeal way. On the approach from the north, the bend in Station Road and the low-level scale of built form do not detract from the ability to understand and appreciate the special interest of the significance of the farmhouse building and its interesting form and roof arrangement.
29. Some slight improvements to immediate setting could occur by increased space for gardens at the rear, additional soft landscaping around the access and by re-routing the majority of commercial traffic to the east although residential movements from the main access would remain. Nonetheless, visually dominated by the hard elements of residential development including buildings, access roads, hard surfacing and parked vehicles the eye would be unacceptably drawn to closely knit and overly prominent residential built form within the immediate setting of the listed building and from the rear by the likely size, scale and activity of the commercial barn and farm shop. From a number of viewpoints the introduction of buildings of such a scale and mass and in such close proximity to the listed building would disrupt views and appreciation of the building and its significance as a designated heritage asset, in terms of its setting.
30. The fourth reason for refusal specifically refers to the residential use of an existing part of the listed building and a barn to the immediate rear (residential unit 2) which the Council contend is curtilage listed. A Heritage Statement has been submitted that appears to refer to this as a 'new build structure' and focuses on setting matters. It also refers to 'full planning permission is sought' and makes no reference to any listed building consent being required.
31. The Council contend that residential unit 2 appears on historic maps and is considered curtilage listed unless evidence is provided to show it has been rebuilt after 1948. The Council refer to harm to the curtilage building from its demolition and whilst I have had regard to the cases of the parties' details are limited and I am unable to be conclusive on its status as a designated heritage asset, or otherwise.
32. There is also little before me in terms of the assessment of effects on the part of the single storey building attached to the farmhouse on its eastern side. It appeared to already be in use as residential accommodation but details of any works that may be required are limited and no s20 listed building consent application or appeal has been made.
33. Whatever the case may turn out to be, in this appeal I have found that the proposal would cause harm to the significance of the heritage asset, in terms of its setting. In National Planning Policy Framework (the Framework) terms this proposal would result in less than substantial harm and I return to these matters in the balancing exercise below.

Access and highway safety

34. The local highway authority objected on the grounds of insufficient information including failure to provide swept path analysis, vehicular access and visibility

splay details. As set out above some further details on an amended site plan were accepted but I share the Council's view there are still incomplete details of vehicle size and dimensional details of the access, which is to be considered as part of the outline proposal and which were clearly requested in the relevant consultation response. Pedestrian safety issues could be dealt with by condition but the evidence before me does not allow for a conclusion to be drawn on the highway safety effects.

35. Accordingly, the proposal would conflict with Policy HQ/1 of the LP and the Framework insofar as it fails to demonstrate safe and suitable access for all users can be achieved. Although reference is made to Policy TI/2 Planning for Sustainable Travel it is not clear which part of the Council's case relates to that policy in such terms.

Employment land

36. The site is an existing mixed use employment site and the proposal would see the non-residential floorspace reduced by 124 square metres but with an increase in net additional tradable floor area of 152 square metres. Criteria a of Policy EI/4 requires documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. In this case the employment use would be re-provided albeit in a different form but I do not share the Council's view this should be regarded as 'considerable'. Further, that space would likely be provided in a more functional and efficient form and the application form states there would be no reduction in the number of employees on the site.
37. To my mind, in such circumstances to require 12 months of marketing is not entirely appropriate as there is a comparable employment use/offer being re-provided with no associated loss of employees. Whilst there may be some technical conflict with the policy in terms of meeting a specific criterion, the failure to do so and any associated conflicts only weigh a limited amount against the proposal and is not determinative.

Other Matters

38. The Council's sixth reason for refusal relate to insufficient information being submitted to enable an assessment of effects on climate change but with scant explanation of the matters in dispute. Even if I were to seek to somehow try and resolve this matter in my decision the conflicts are such that even if I had found with the appellant on this matter it would not have changed the outcome of the appeal. In particular, the issue of protected species alone would lead to the appeal being dismissed. I have not therefore considered it any further.

Planning balances and conclusion

39. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal would conflict with the LP insofar as its location is concerned, would cause harm to the character and appearance of the appeal site and area and it has not been adequately demonstrated protected species would not be adversely affected or that safe and suitable access would be provided for all users. These conflicts are such that the proposal would be conflict with the development plan, when read as a whole.

40. Even though I cannot be conclusive on all heritage considerations, there would also be less than substantial harm to the significance of a designated heritage asset, in terms of its setting. In Framework terms, the harm from the proposal would be less than substantial but nonetheless must be given considerable importance and weight. Although there would be some public benefits in social and economic terms that weigh in favour of the proposal the public benefits would not be sufficient to outweigh the less than substantial harm to a designated heritage asset, in terms of its setting.
41. There is no evidence from either party in relation to the Council's housing land supply position or paragraph 11 of the Framework. In this case however the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed³. Even if that harm were not considered to be a strong reason in any subsequent paragraph 11 d) ii balance, the harm and conflicts that I have identified are such that the adverse impacts would significantly and demonstrably outweigh the benefits. The proposal would not therefore be the sustainable development for which the Framework indicates a presumption in favour.
42. Drawing everything together, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan.
43. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

R Aston

INSPECTOR

³ Footnote 7 - designated heritage assets in accordance with paragraph 11 d) i.