
Appeal Decision

Site visit made on 17 April 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th April 2025

Appeal Ref: APP/H0520/D/24/3351078

48 Common Lane, Hemingford Abbots, Cambridgeshire PE28 9AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alan Tuohy against the decision of Huntingdonshire District Council.
 - The application Ref is 24/01001/HHFUL.
 - The development proposed is an extension to existing car port.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to existing car port at 48 Common Lane, Hemingford Abbots, Cambridgeshire PE28 9AN in accordance with the terms of the application 24/01001/HHFUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The proposed development relates to the setting of listed buildings and lies within a conservation area. Accordingly, I have had special regard to the desirability of preserving the listed buildings or settings or any features of special architectural or historic interest which they may possess, as required under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area under Section 72(1) of the Act.

Main Issue

3. The main issue is whether the proposed development would preserve the setting of the Grade II listed buildings, 44 Common Lane (Medlands) and Barn to West of Number 44 (Medlands), and the extent to which the proposed development would preserve or enhance the character or appearance of the Hemingfords Conservation Area.

Reasons

Heritage assets – special interest and significance

44 Common Lane (Medlands)

4. Medlands¹ lies to the east of the appeal site. It is a Grade II listed building formed of a 16th century cottage. It is of timber-framed construction with a thatched roof over.

¹ List Entry Number: 1309386

5. Based on the evidence before me, I find that the listed building's special interest and significance is primarily associated with its architectural and historic interest. Important contributors in these regards are its surviving historic fabric and the use of traditional construction techniques and materials. It has group value with the adjoining barn.

Barn to West of Number 44 (Medlands), hereafter referred to as 'the Barn'

6. The Barn² also lies to the east of the appeal site. It is a Grade II listed building that dates from the 16th century. The listed building comprises a timber framed barn, finished in weatherboarding with a thatched roof over. Based on the evidence before me, I find that the listed building's special interest and significance is primarily associated with its architectural and historic interest. Important contributors in these regards, which are pertinent to the appeal, are its surviving historic fabric, its picturesque appearance and the use of traditional construction techniques and materials. It has group value with the adjoining cottage of Medlands.

Setting of Medlands and the Barn

7. Pertinent to the appeal, in relation to the settings of the listed buildings and the contribution they make to the special interest and significance of assets, I have had regard to the definition of setting within the National Planning Policy Framework (the Framework).
8. The enclosed grounds of the adjoining buildings have an historic, visual and functional connection with the heritage assets. It is from both here and the adjoining Common Lane that the assets are best appreciated. These areas form the immediate setting of the assets. This immediate setting contributes considerably to the special interest and significance of the assets. Beyond this, the surrounding area is made up of predominantly residential development, indicative of the development of the settlement over time. Some views of the assets are possible from further along Common Lane, albeit these are typically limited. This surrounding area, which includes the appeal site, forms the wider setting of the assets.
9. The later residential and ancillary development which now surrounds the assets has, to a degree, compromised the wider setting. Whilst the assets might once have formed prominent buildings in a largely rural position along Common Lane, the more modern residential development along the lane has altered how the assets are experienced and, ultimately, moderates the contribution this wider setting makes to their special interest and significance. Accordingly, the wider setting, which includes the appeal site, makes a more limited contribution to the special interest and significance of the assets.

Conservation Area

10. The appeal property is located within Hemingfords Conservation Area (the CA). The special interest and significance of the CA is largely derived from the preservation of its historic village core and picturesque townscape. It contains largely domestic buildings (many listed) fronting onto streets and lanes, including Common Lane, all within a wider rural, verdant setting. Insofar as the appeal is

² List Entry Number: 1128498

concerned, there are several prominent outbuildings and garage structures adjacent to and set back from Common Lane. Irrespective of their planning history, these form part of the domestic character of the area.

11. The appeal property, individually, makes a neutral contribution to the character and appearance of the CA. Nonetheless, the landscaping within the site makes a meaningful contribution to the verdant and spacious character and appearance of the CA as a whole, and this to its significance as a designated heritage asset.

Heritage – appeal proposal and effects

Medlands and the Barn

12. There is no doubt that the proposed development would be appear more prominent than the existing garage, increasing the overall scale and footprint of the established structure. Nevertheless, this would be to a minimal extent and the physically and functionally separate relationship between the appeal site and listed buildings would be maintained. The historic and architectural interests of the assets would remain unaffected by the proposed development. The retention of a reasonable separation distance, together with the intervening landscaping features and driveway to 46 Common Lane, would all reinforce this. The immediate setting and most of the wider setting that contributes to the significance of the assets would remain undisturbed by the proposed scheme.
13. Taking these factors into account, the proposed development would not compromise the setting of the listed buildings, rather it would have a neutral effect that would not detrimentally alter how the assets would be experienced and would not adversely affect the ability to appreciate their significance. Consequently, the setting of the listed buildings and the contribution that it makes to the significance of the assets would be preserved.
14. Overall, I conclude that the proposed development would preserve the setting of the nearby Grade II listed buildings, 44 Common Lane (Medlands) and the Barn, and cause no harm to the significance of these heritage assets. Consequently, the proposed development would accord with the requirements of Section 66(1) of the Act and the relevant provisions of Policy LP34 of Huntingdonshire's Local Plan to 2036. This policy, in summary, seeks to protect heritage assets and their settings.

Conservation Area

15. The setback position, overall limited scale and nature of the proposals are such that they would, when viewed from the public realm, appear as relatively modest in the streetscene. The extended outbuilding would remain subservient to the both the appeal property and those surrounding and would be seen in the context of established built form. Unlike listed buildings, the significance of a CA is, in part, dependent upon how it is experienced. While planting and boundary features cannot be relied on in perpetuity to give the same level of screening as at present, the established planting along the boundary of Common Lane and at the entrance of No 46 is typical of the area, and in my view, it is unlikely that it will be substantially reduced or lessened over time. For the reasons above, I consider that the proposed development would have a neutral effect on, and would therefore preserve, the character and appearance of the CA as a whole.

16. Overall, I conclude that the proposed development would preserve the character and appearance of the Hemingfords CA and would meet the requirements of Section 72(1) of the Act. As such, it would not harm the significance of this designated heritage asset. The proposed development would also accord with the relevant provisions of Policy LP34 of Huntingdonshire's Local Plan to 2036. This policy, in summary, seeks to protect heritage assets and their settings.
17. Since there would be no harm to these heritage assets, there is no need to balance the public benefits of the scheme.

Other Matters

18. The appeal site is also located within the wider surroundings of a Grade II listed building, 29 Common Lane. Mindful of the statutory duty set out in s66(1) of the Act, I have had special regard to the desirability of preserving its setting. The historic built backdrop and verdant surroundings of this building, of which the appeal site forms part, positively contribute to its significance. Nevertheless, given the location and extent of the proposed development, together with intervening landscaping features, I consider that it would preserve the setting of that listed building and the contribution it makes to that asset's significance. I note the Council had no concerns in this regard either.
19. A previous planning approval at the same site has been referenced. While this is noted, I am assessing only the scheme before me.

Conditions

20. I have imposed conditions on time limits and requiring compliance with the relevant plans in the interests of certainty. A condition requiring the external surfaces of the development to match the existing building is imposed in the interests of protecting the character and appearance of the area.

Conclusion

21. For the reasons given, I conclude, having had regard to the development plan as a whole and all other relevant material considerations, that the appeal should be allowed subject to the conditions below.

A Price

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing numbers: 22147_03, 22421_01, 22421_05.
- 3) The external materials of the extension hereby permitted shall match those used in the existing garage building.