



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: 20 May 2025

Appeal Ref: APP/H0520/W/24/3357088

49 St Neots Road, Eaton Ford, Cambridgeshire PE19 7BA

- 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 D Coutts against the decision of Huntingdonshire District Council.
 - The application Ref is 24/00336/FUL.
 - The development proposed is described on the application form as the 'erection of a bespoke-designed wheelchair-friendly bungalow and associated ancillary works.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The works relate to development within a conservation area. In this respect I have paid special attention to the desirability of preserving or enhancing the character or appearance of that conservation area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - whether the proposed development would comply with local and national planning policy, which seeks to steer new development away from the areas at the highest risk of flooding;
 - the effect of the proposed development on the character and appearance of the surrounding area;
 - the extent to which the proposed development preserves or enhances the character or appearance of the St Neots Conservation Area; and
 - the effect of the proposed development on the living conditions of neighbouring occupants.

Reasons

Flood risk

4. The Council identifies that the appeal site lies within Flood Zone 2 (medium risk of flooding). This is also set out within the appellant's Flood Risk Assessment & Drainage Strategy Report (FRA), using the Environment Agency's (EA) Flood Map for Planning.

5. However, the appellant also sets out that the appeal site, based on new data, falls within Flood Zone 1. Whilst I note that an updated Environment Agency map has been provided by the appellant showing the site lying outside of Flood Zone 2, there is no substantive evidence before me, such as an EA consultation response or addendum to the original FRA, to demonstrate the context of that map or to confirm whether (or when) this supersedes the data of the Flood Map for Planning. Adopting a precautionary approach, I have assessed the scheme on the basis of the appeal site falling within Flood Zone 2, for which I am presented with strong evidence.
6. A sequential test has been submitted in support of the proposed development. This test is necessary to determine whether any other sites would be available to meet the need for development of this nature, outside of areas most at risk of flooding. The submitted sequential test states that a search has been carried out of development land within the district. The appellant's methodology included a search of the Council's Strategic Housing Land Availability Assessment. Several potential sites were identified but were discounted by the appellant as they were either located in Flood Zones 2 and 3, were not deemed 'available' or provided land for multiple properties rather than single dwellings. The submitted sequential test ultimately concludes that no other suitable sites are available within the identified area.
7. However, the Planning Practice Guidance¹ sets out that the applicant will need to identify whether there are any other 'reasonably available sites within the area of search, that have not already been identified by the planning authority in site allocations or relevant housing and/or economic land availability assessments, such as sites currently available on the open market.' There is no evidence before me that such a search has taken place including, for example, communication with local estate or land agents in the area. Under such circumstances, I cannot conclude that all other potentially available, and less harmful alternative options in flood risk terms have been reasonably explored before this site was selected, and therefore the requirements of the sequential test have not been met.
8. It is noted that no consultation responses were received from either the Environment Agency or Local Lead Flood Authority on the proposed development. Nevertheless, the assessment of the sequential test is a matter for the decision-maker and the lack of objection from those parties does not automatically mean that the matter is acceptable.
9. The appellant refers to nearby developments where flood risk issues have been found to be acceptable. Whilst this is noted, I have assessed the appeal scheme based on the site-specific circumstances and the evidence before me in relation to this site. Moreover, mitigation measures set out within the FRA are acknowledged. However, these do not remove the requirement for the sequential test to be properly applied.
10. Overall, I conclude that it has not been adequately demonstrated that the appeal site is a suitable location for the proposed development with regards to flood risk. The proposed development is therefore contrary to the relevant provisions of Policy LP5 of the Huntingdonshire Local Plan, which in summary seeks to avoid inappropriate development in areas at risk of flooding. This is in a similar vein to

¹ Reference ID: 7-029-20220825

the provisions of Policy A3 of the St Neots Neighbourhood Plan and the Cambridgeshire Flood and Water Supplementary Planning Document insofar as flood risk management is concerned. Even were I to find this main issue acceptable, it would not overcome or outweigh the harm identified below.

Character and appearance

11. The appeal site is located in a predominantly residential area. The layout of the surrounding area, aside from linear development along St Neots Road could reasonably be described as sporadic. This appears to be the outcome of the continuing development of the settlement over time, particularly in the post-war years. Despite this variety, there are nonetheless consistent features in this location. Properties generally sit within relatively modest garden plots, arranged traditionally along streets, and consistent materials such as brick are typically used in construction. Whilst some backland development is apparent beyond principal roads, where developments of more than one property have come about over time, these generally remain consistent with one another through their detailed design, the use of matching materials and their relationship with roads.
12. Views of the proposed dwelling would be possible from St Neots Road and from the private vantage points of properties along both St Neots Road and Davey Mews. From that perspective, the proposed development would undoubtedly change the character of the appeal site and surrounding area.
13. The design of the proposed dwelling, including its atypical roof profile and the use of timber cladding would be out of keeping with the surrounding properties. Similarly, the proposed development would not reflect the prevailing layout of the surrounding area, particularly when viewed in the context of properties along St Neots Road. The proposed development would have a large and unusual footprint relative to nearby dwellings and would appear cramped, awkward and discordant in its setting.
14. For the above reasons, I conclude that the proposed development would harm the character and appearance of the area, conflicting with the relevant provisions of LP policies LP11 and LP12. These policies, in summary, seek a high standard of design in development, which respects and responds to the character of the surrounding area. This is in a similar vein to the provisions of Policy A3 of the St Neots Neighbourhood Plan insofar as good design is concerned.

St Neots Conservation Area

15. The appeal property is located within St Neots Conservation Area (the CA). The special interest and significance of the CA is derived, in part, from the preservation of the historic core of multiple settlements around the River Ouse, that have evolved over time to form part of St Neots.
16. Pertinent to the appeal, the site falls within The Eatons Character Area, west of the River Ouse. The St Neots Conservation Area Character Assessment describes the narrow character of St Neots Road, featuring typically small, terraced plots. It also notes White House (former Union Workhouse) and the consistent building materials of brick, painted render and slate.
17. The appeal site forms an unusually large gap in built form along St Neots Road, allowing limited views towards more contemporary and backland residential

development beyond the site. There is no evidence before me of this view forming an important or protected view. Whilst the Council sets out the potential historic purpose of the site as a connection with open fields, there is no substantive evidence before me to demonstrate this. In any case, this visual and functional connection is no longer apparent, having been lost to development within the surrounding area over time. The appeal site could reasonably be described as making only a limited contribution to the character and appearance of the CA and thereby to its significance as a designated heritage asset.

18. Notwithstanding my findings in respect of character and appearance more generally, the significance of a CA is dependent upon how it is experienced as a whole. Although the proposed development would be single-storey and its detailed design and layout would be somewhat at odds with the immediately surrounding area, it would form a relatively modest addition to the CA and the loss of the undeveloped parcel of land here would not be harmful. Moreover, the consistent built form along St Neots Road, together with physical gap, would be retained. 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.
19. Accordingly, I conclude that the proposed development would preserve the character and appearance of the 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 LP policy LP34, which in summary seeks to protect heritage assets. This is in a similar vein to the provisions of Policy A3 of the St Neots Neighbourhood Plan insofar as heritage is concerned.
20. In finding no harmful effects to the special interest and significance of this designated heritage asset, it is not incumbent on me to consider any public benefits that would flow from the proposed development.

Living conditions

21. The appeal site is currently open meaning that, except for existing boundary treatments, the occupants of No 49 St Neots Road, have an unrestricted outlook over the site. Properties within Davey Mews front onto a private road, with rear-facing windows overlooking their own rear gardens and mature landscaping along the appeal site's boundary.
22. The proposed development would undoubtedly alter the relationship between the site and adjoining properties. It would also be visible from rear-facing windows of those dwellings. Nevertheless, given that the development would be single-storey and the gardens of the neighbouring properties would be retained, it is unlikely to have a harmful impact on the occupants of these adjacent homes.
23. While planting and boundary features cannot be relied on in perpetuity to give the same screening as at present, the established planting along the site's boundary is typical of the area. In my view, it is unlikely to be substantially reduced or lessened over time.
24. Overall, the proposed development would have an acceptable effect on the living conditions of neighbouring occupants, in accordance with the relevant provisions

of LP policy LP14. This policy, in summary and insofar as this main issue is concerned, seeks to protect the amenity of occupants.

Other Matters

25. The appeal site is located within the wider surroundings of a Grade II listed building, White House. 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. Although the building would, no doubt, have been more highly visible in its context in the past, the historic built backdrop, particularly along St Neots Road, contributes somewhat to the building's significance. Nevertheless, given the location and extent of the proposed development, I consider that it would preserve the setting of this listed building and the contribution it makes to its significance. I note the Council had no concerns in this regard either.
26. That the proposed development would accord with some other planning policy objectives, including internal space standards, is acknowledged. I also acknowledge that there were no objections from some statutory consultees, such as the highways authority. However, a lack of harm is effectively neutral in my determination of the case rather than weighing positively in favour of allowing the appeal.
27. The appellant has set out personal circumstances in that the proposed development would provide accommodation for a family member who is a wheelchair user.
28. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. It does not follow from the PSED that the appeal should succeed, and wider planning considerations are paramount, but nevertheless the particular need for the development in this location is a matter to which I give moderate weight in assessing the proposed development.
29. I appreciate that in dismissing the appeal, individuals would be unable to derive the benefits of being located on the site, having the potential to disproportionately affect them. Nevertheless, I have no substantive evidence before me to indicate that no other form of accommodation would be obtainable. I have also reasoned above the significant harm that the proposed development would cause to the wider public. Moreover, the proposed development would remain long after the current personal circumstances cease to be relevant. For these reasons, I find that this factor is not sufficient to outweigh the harm that would be caused, and which is contrary to the objectives of the development plan.

Conclusion

30. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that's the appeal should be dismissed.

A Price INSPECTOR