



Appeal Decision

Site visit made on 30 April 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/W0530/W/24/3358236

Land adjacent to St. Michael's, Horse and Gate Street, Fen Drayton CB24 4SH

- 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 Thomas of Pomerand Johnson Limited against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/01212/FUL.
 - The development proposed is development of two residential units; new residential access; landscaping; and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located in the Fen Drayton Conservation Area (CA). There is a duty imposed by Section 72(1) of the Planning (Listed Building and Conservations Areas) Act 1990 (the Act) requiring decision makers, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
3. Listing details for two buildings known as The Cottage¹ and Gate House² (grade II listed) have been provided. I am mindful of my statutory duty under Section 66(1) of the Act to have special regard to the desirability of preserving the listed buildings or their setting or any features of special architectural or historic interest which they possess. On this basis, the main parties were asked to comment on the significance of these buildings, whether the appeal site is within their settings, and if any harm would result to them by virtue of the proposed development. Consideration of the effects of the proposed development on the settings of The Cottage and Gate House therefore form part of the main issue.
4. Since the submission of the appeal, the Council has determined a separate application for planning permission for the erection of a pair of semi-detached dwellings on the appeal site (approved scheme³). While the proposed development before me is different, I shall have regard to the approved scheme insofar as it is relevant to the matter in dispute. My attention has also been drawn to an outline consent for a single dwelling on the appeal site in 1988⁴, although I have not been provided with any substantive evidence to suggest this consent remains extant.

¹ List entry: 1331385

² List entry: 1127239

³ Council ref: 24/04714/FUL Erection of 2 No. dwellings together with new access, landscaping and associated works – permission 18 February 2025.

⁴ Council ref: S/1873/88/O

Main Issue

5. The main issue is the effect of the proposed development on the character or appearance of the Fen Drayton Conservation Area and whether the proposed development would preserve the settings of the Grade II listed buildings known as The Cottage and Gate House.

Reasons

6. The boundary of the CA encapsulates the east part of the village of Fen Drayton. This includes the built form located along the main routes through the village including parts of Cootes Lane, High Street and Horse and Gate Street. The Grade II* listed Three Tuns public house is located at the junction of High Street and Horse and Gate Street. The CA also incorporates Church Street, a narrow secondary route leading to the Grade II* listed church of St Mary the Virgin.
7. The significance of the CA is partly informed by the villages long history evident in the quality and range of buildings which tend to sit close to or on the roadside including timber framed and thatched roof buildings. Significance is also derived from the CA's relationship with the surrounding countryside and soft landscape features including gardens, mature trees, grass verges and hedgerow, which soften the prevailing built form within the village. Consequently, the semi-rural character and arrangement of historic buildings are unifying characteristics across the CA and contribute to its special interest and significance.
8. The Grade II listed building known as The Cottage comprises a late 17th Century or early 18th Century timber framed and plastered, thatched roof cottage. The Grade II listed building known as Gate House is of a similar age to The Cottage, is a former public house and is also timber framed with a thatched roof. Both buildings immediately front onto Horse and Gate Street. Their significance is derived from their age, surviving historic fabric and prominent position on a main route through the village.
9. The appeal site comprises undeveloped paddock land located between St Michaels, a two-storey traditional dwelling and The Close, a more recently constructed modern bungalow. A group of trees/shrubs is located towards the rear of the site, beyond which is agricultural land. A field gate access and fence is located along its frontage with a hedgerow or fence along its remaining sides. The existing undeveloped appeal site has an open and verdant character that positively contributes to the character and appearance of the CA.
10. The appeal proposal is for the erection of two detached dwellings, each with an individual design in a tandem arrangement, served off a single shared drive and constructed from materials in keeping with the local vernacular. There would be a grass verge to the front of the site and off-street parking to the front of each dwelling. Plot 1 would be two-storey and located towards the front of the site. It would have a similar or lower ridge height than some dwellings located along the street. Even so, its position forward of The Close combined with its higher ridge height, higher than The Close and St Michaels located either side of it, would make it prominent in views along Horse and Gate Street.
11. The design of Plot 1 takes cues from other dwellings in the CA, including St Michaels. However, its roof design with concealed flat roof and window proportions would differ from St Michaels, resulting in a dwelling which is more eye-catching in

appearance. Whilst the appellant indicates that this may in part be due to the need to meet building regulations requirements and to enable easy roof access and the installation of hidden solar panels, satellite dishes and rooflights, I am not satisfied that this is the only design option available. Whilst The Close has a section of concealed roof, it is discreetly positioned to the rear of the building and set back further from the street and does not justify the proposed roof design on Plot 1. The appellant also suggests that there are potentially less sympathetic felted flat roof garages in the area. However, the examples provided are also more discreetly positioned and are not comparable to the appeal proposal.

12. Plot 2 would comprise a 1.5 storey chalet bungalow. It would likely be visible from Horse and Gate Street to the side and rear of the dwelling proposed on Plot 1 and from neighbouring properties. The positioning of Plot 2 would be at odds with the linear pattern of dwellings located along this part of Horse and Gate Street and would not be comparable to outbuildings that are more typically located within the rear gardens of dwellings in the CA. The resulting urbanisation of the appeal site and the development of Plot 2 in particular, would erode the semi-rural character of the appeal site and transition between the village and countryside that positively contributes to the character and appearance of the CA.
13. The South Cambridgeshire District Council Design Guide Supplementary Planning Document (2010) states that to retain the semi-rural character of villages it is appropriate to retain some vacant plots and that proposals for infill development should respect their surroundings. The Council raise no objection to the loss of the paddock land by virtue of the approved scheme for a pair of semi-detached dwellings located towards the front of the site with long rear gardens. These extant dwellings would also be lower in height, have different roof design and be set further back from the roadside edge than the dwelling proposed on Plot 1. As a consequence, there are material differences between the two schemes and this fall back does not justify the appeal proposal.
14. Whilst the appeal site is located on the opposite side of the road to The Cottage, the proposed development would still be conspicuous within the setting of this listed building. Whilst the Council indicate 'a minor adverse impact on the setting and significance of The Cottage' would arise, they do not consider that this would affect the ability to appreciate the asset. However, I consider the prominent position and design of Plot 1 would be distracting in views within the setting of The Cottage. The proposed landscape scheme and the retention of existing trees/shrubs would not mitigate the harm identified.
15. Having considered the nature of the proposed development and relationship between the appeal site and Gate House, I am satisfied that no harm to the significance of this building or its setting would arise due to it siting further away from the appeal site than The Cottage.
16. For the reasons given, the proposed development would not preserve the setting of The Cottage. It follows that the proposed development would fail to accord with the statutory presumption under s66(1) of the Act and there would be harm to the significance of the listed building as a designated heritage asset. For the same reasons, the proposed development would fail to preserve or enhance the character or appearance of the CA. It follows that the proposal would fail to accord with the statutory presumption under Section 72(1) of the Act and there would be harm to the significance of the CA.

17. Given the scale and nature of the proposal, the degree of harm to the significance of the CA would be less than substantial. Paragraph 215 of the National Planning Policy Framework (the Framework) states that this harm should be weighed against the public benefits of the proposal.
18. Public benefits would be derived from the delivery of two dwellings within the village of Fen Drayton that would support a number of local services and facilities including those in neighbouring settlements and would contribute to the supply of housing for families and/or disabled/elderly individuals in the area. Whilst the introduction of an ungated driveway would ensure the free flow of traffic when compared to the existing access arrangement, such a benefit is considered to be limited given that traffic movements would also increase. Such benefits would also be similar to the approved scheme. The appellant also intends to deliver biodiversity net gain, use lighting to retain dark skies and provide sustainably constructed, energy efficient, accessible and adaptable homes incorporating renewable energy techniques and provisions for cycle storage and homeworking.
19. The wider public benefits associated with two dwellings would be modest and carry moderate weight in favour of the proposal. The Framework states that great weight should be given to the conservation of a designated heritage asset, irrespective of whether there would be less than substantial harm to significance. Even cumulatively, the weight of public benefits in favour of the proposed development would not be sufficient to outweigh the harm to the significance of the designated heritage assets identified.
20. The Council's decision also refers to landscape character harm and conflict with Policy NH/2 of the South Cambridgeshire Local Plan (2018) (LP). Landscape character is relevant to a broader assessment of character and appearance. However, there is no detailed evidence before me setting out specific landscape harm. Nevertheless, this does not override my concerns in relation to the historic environment.
21. The proposal therefore fails to accord with the historic environment protection policies of the Framework. Conflict also arises with Policies S/7, HQ/1 and NH/14 of the LP insofar as they require development to be of a scale, density and character appropriate to the location and to conserve or enhance historic assets and their setting.

Other Matters

22. My attention has been drawn to an example of backland development at Mead House on Honey Hill. This site appears to be located outside of the CA I am not aware of the full planning circumstances of this case. In any event, the appeal has been decided taking into account my own statutory duties as the decision-maker for this appeal and the site-specific circumstances of the proposed development.
23. The impact of the proposed dwelling on the living conditions of neighbouring occupiers, space standards, parking, refuse collection, trees, flood risk, drainage and highway safety are not in dispute. Even so, this does not overcome the harm identified with respect to the main issue.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR