
Appeal Decision

Site visit made on 29 April 2025

by **A Phillips MPlan BA CertHE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 June 2025

Appeal Ref: APP/W0530/W/24/3353528

Land to the rear of Yew Tree Cottage, 59 The Green, Weston Colville, Cambridgeshire CB21 5NT

- 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 Ragilbury Roots Limited against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/01012/FUL.
 - The development proposed is erection of a dwellinghouse and garage and the provision for parking, access, garden and associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. From the submitted evidence it appears that the proposed development description was changed with both parties' agreement and on this basis have used the wording on the decision notice and appeal form. The corrected plan list by the agent on the 16 October 2024, which has not been opposed by the Council, is also noted and based on the submitted evidence I am satisfied that the plans provided were those that the Council made its decision on.
3. The address refers to the highway being called The Green, though some of the submitted drawings refer to the road being Common Road. For the purposes of this decision these two names refer to the same road.

Main Issues

4. The main issues are the effects of the development on:
 - the character and appearance of the local area; and
 - the significance of the Grade II Listed Building of Yew Tree Cottage.

Reasons

Character and appearance

5. The site is located within the rear garden of Yew Tree Cottage and adjacent to the new development of 4 dwellings that is currently under construction. The new development of 4 dwellings, includes one dwelling that fronts Common Road, with the remainder of the 3 approved plots being located off a shared driveway that extends in a southwest direction. To the rear of the site is a mature belt of trees that obscure the view from the agricultural fields and Public Right of Way (PRoW)

beyond. The PRoW connects onto Common Road via a cul-de-sac development past the dwelling known as East View.

6. The proposed one and a half storey dwelling would connect onto the driveway near the turning head adjacent to plot 3 and located behind plot 1 and 2 when viewed from Common Road.
7. While the proposal is on the village edge it is not specifically rural in nature given its proximity to a more suburban development, though it is near both a mature tree belt and open fields. The proposal would not extend closer to the settlement boundary than the neighbouring plots (3 and 4). In addition, given that the existing adjacent development already forms a cul-de-sac and that there is a similar cul-de-sac that ends with the property of East View near this site the addition of this plot is not considered to change the character of the area in this regard. Though East View is defined by its soft landscaping as well as built form, it nonetheless has the clear characteristics of a cul-de-sac.
8. For the reasons given, the proposal would not erode the village edge, and the site connects onto a cul-de-sac rather than creating one. I therefore conclude that the proposal would not harm the character and appearance of the area. On this basis the proposal is considered to comply with Policies S7, HQ1 and H16 of the South Cambridgeshire Local Plan 2018, which seeks to ensure development preserves green space/landscapes and preserves or enhances the local character of an area.

Yew Tree Cottage

9. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) contains duties whereby special regard should be given to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which it possesses.
10. Yew Tree Cottage is a one and a half storey thatched dwelling, which has been extended on three sides. Its significance in part comes from that it is an attractive red brick thatched cottage that has been periodically extended with modest extensions on its sides and rear elevation that have added to its architectural character. Based on the submitted evidence, the listed building would have been set within a simple rural setting of orchards and green spaces. Consequently, the landscape setting of the listed building contributes to its significance. The application site historically being orchard therefore positively contributes to the setting of Yew Tree Cottage. The historic orchard landscape has been slowly reduced by development, for instance by Woodview bungalow located next to Yew Tree Cottage. The remainder of the historic landscape around the listed building therefore has greater historic merit given its rarity. Notwithstanding this, the proposal is clearly within the setting of this listed building given it would help define views to the listed building from the adjacent development.
11. The design of the proposed dwelling in isolation would complement the other consented dwellings. Nevertheless, the proposal would bring built development closer to the listed building. This together with the mass and scale of the proposed development would markedly reduce the openness of the site and would dominate the architectural style of Yew Tree Cottage. Landscaping is proposed around the plot, which the appellant contends would add a degree of screening. However, the scale of the proposed dwelling would leave limited space for landscaping between

the building and the site boundary. Additionally, planting would take time to become established and, in any event, will not endure forever.

12. Overall, the proposal would detract from the setting of the listed building and undermine the ability to appreciate it. I therefore conclude that the proposal would fail to preserve the setting of the listed building and would harm its significance.
13. In terms of the National Planning Policy Framework (the Framework) the proposal would cause less than substantial harm to the significance of a listed building. Paragraph 215 of the Framework states that in these circumstances this harm should be weighed against the public benefits of the proposal. The appellant has put forward an argument that the public benefits of both this dwelling and the already approved 4 plots should be considered collectively. However, there is no argument put forward that these 4 dwelling could not come forward without plot 5. On this basis, only the public benefits of the proposed single dwelling are considered.
14. With the Council having a 5-year supply of deliverable housing sites, the addition of one dwelling is a limited benefit. There would also be social and economic benefits such as short-term construction employment and additional residents supporting local services and facilities. However, I only afford such benefits limited weight in the context of one dwelling and the local planning authority being able to demonstrate a 5-year supply of deliverable sites. The strong architectural style is a neutral factor as policy HQ/1 of the Local Plan, requires this as minimum which is supported by the Framework. Overall, the proposal conflicts with national policies that seek to protect the historic environment, as the public benefits do not outweigh the less than substantial harm identified. The proposal by virtue of the harm to the setting of the listed building also does not comply with the Act.
15. Given the identified harm to the listed building the proposal conflicts with Policies NH/14 and H/16 of the Local Plan, which seek to sustain or enhance the setting of heritage assets and prevent adverse impacts on the setting of a listed building.

Conclusion

16. I have found that the proposal would be acceptable in terms of its effect on the character and appearance of the area. However, I have found that there would be less than substantial harm to the significance of the listed building which would not be outweighed by public benefits. This is a matter of overriding concern and to this extent there would be conflict with the development plan when considered as a whole. I therefore conclude that the appeal should be dismissed.

A Phillips

INSPECTOR