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## Appeal Decision

Site visit made on 2 October 2025

by **Jennifer Wallace BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

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**Appeal Ref: APP/H0520/W/25/3363562**

**Conger Lane, Holywell, St Ives, Cambridgeshire PE27 4TG**

- 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 Anderson against the decision of Huntingdonshire District Council.
  - The application Ref is 24/00594/FUL.
  - The development proposed is demolition of existing agricultural barn and erection of a self-build dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of existing agricultural barn and erection of a self-build dwelling at Conger Lane, Holywell, St Ives, Cambridgeshire PE27 4TG in accordance with the terms of the application, Ref 24/00594/FUL, subject to the following 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 nos 2020.11.200A and 2020.11.203A.
  - 3) No development shall take place above slab level, until details of the proposed external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
  - 4) No development above slab level shall take place until a plan setting out how the ecological enhancements detailed in the recommendation section of the Preliminary Ecological Appraisal by Skilled Ecology dated March 2024 will be carried out has been submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to specification, location, an implementation programme and maintenance. The development shall be carried out in accordance with the approved details and the approved enhancement measures retained.
  - 5) The dwelling hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement) prior to first occupation. Such provision shall be maintained for the lifetime of the development.
  - 6) The dwelling hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G (or replacement

standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.

- 7) No development above slab level shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. The proposed details shall reflect the planting detailed in the recommendation section of the Preliminary Ecological Appraisal by Skilled Ecology dated March 2024. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

### **Preliminary Matters**

2. I have used the description of development from the appeal form. It has been confirmed the parties agreed an amendment to the description of development during consideration of the application.
3. The appellant has submitted amended drawings, reference 2020.11.200A and 2020.11.203A with the appeal. I have considered whether it would be appropriate to accept these revised plans, having regard to the guidance in the 'Procedural Guide: Planning Appeals – England (2025)', and the tests given in the 'Holborn Studios' judgment<sup>1</sup>. The Procedural Guide makes clear that the appeal process should not be used to evolve the scheme and that in most cases the appeal should be determined on the basis of the plans upon which the Council made their decision.
4. In this case, the amended plans show a dwelling with a smaller footprint and slightly lower ridge height. An overhanging roof and two balconies have also been removed. None of the proposed amendments substantially alters the development as proposed, nor materially alters its nature. Furthermore, the Council has commented on these plans, and additional consultation was undertaken at the appeal stage. I therefore consider that no party would be prejudiced were I to consider these plans and I proceed to determine the appeal with regard to them.
5. A completed planning obligation in the form of a unilateral undertaking, dated 16 April 2024 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) has been submitted relating to a wheeled bin contribution. I will return to this in due course.
6. The Council confirmed that following the publication of the revised National Planning Policy Framework (the Framework) on 12 December 2024, it could no longer demonstrate the requisite supply of housing land and that paragraph 11d therefore applied to the proposal. Consequently, it has confirmed it no longer wishes to defend the first reason for refusal which relates to the principle of the proposed development. I have no longer considered this as a main issue.

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<sup>1</sup> Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

7. The Council's view was that the heritage harms identified did not provide a strong reason for refusing the development, and that the adverse impacts of granting the permission would not significantly and demonstrably outweigh the benefits, so permission should be granted. However, this does not mean that they did not find harm arising to designated heritage assets. Furthermore, sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The effect of the proposal on the character and appearance of the area, including designated heritage assets, therefore continues to be considered as a main issue.

### **Main Issue**

8. The main issue is the effect of the proposal on the character and appearance of the area including whether it would i) preserve the settings of the nearby listed buildings and ii) preserve or enhance the character or appearance of the Holywell Conservation Area.

### **Reasons**

#### *Special Interest and Significance*

9. The Parish Church of St John the Baptist<sup>2</sup> (the Church) is a Grade I listed building. Its nave, chancel and north aisle date from the 13<sup>th</sup> century, with further additions, alterations and restorations noted from the 14<sup>th</sup>, 16<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries. It occupies an elevated position within Holywell and is particularly prominent due to the rolling topography of the surrounding area. Its significance is largely derived from its historic importance as a key focus within the settlement and surrounding area and its architectural significance as an example of evolving religious architecture.
10. Pertinent to this appeal, special interest and significance also stem in part from its setting. Its immediate setting is informed by its large, enclosed churchyard which has historic, functional, physical and visual links to the Church. This allows the status and role of the Church within the settlement to be experienced and appreciated thus contributing considerably to its special interest and significance.
11. As the Church is positioned on the edge of the settlement, the arrangement of properties and spaces including the appeal site forms its wider setting. To the south and east lies open countryside with field boundaries partially demarcated by trees and hedges. The elevated position of the Church relative to the settlement in this expansive, open landscape allows its importance to be further appreciated and so contributes to its significance. This is supported by the layout of the settlement around the Church.
12. The Holy Well<sup>3</sup> (the Well) is a Grade II listed building. It is an ancient well covered by a brick shelter, with steps leading down to it due to its position at the low point in the churchyard. Its significance as it relates to this appeal is mostly in its historic interest and setting in the founding and importance of the settlement of Holywell. Its

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<sup>2</sup> List Entry Number: 1128422 Date first listed: 30-May-1958

<sup>3</sup> List Entry Number: 1330789 Date first listed: 04-Nov-1982

setting is more limited and informed by the immediate surrounding churchyard and wild garden due to its modest scale.

13. The appeal site also lies within the Holywell Conservation Area (CA). Its character and appearance and thus special interest and significance are mainly derived from its historic interest in evidencing the development of Holywell and its architectural interest arising from its distinctive ring layout and the range of historic vernacular properties, likely dating from the 16<sup>th</sup> and 17<sup>th</sup> centuries. While the appeal site forms a transitional area between the settlement and the open countryside, the nature and form of the existing building moderates the contribution it makes to the character and appearance of the CA as a whole.

#### *Effects including Character and Appearance*

14. Conger Lane provides access to a number of residential properties before it leads to the appeal property where the access is comprised of an unmade track. Beyond this the access becomes a footpath leading into the surrounding countryside. The site is occupied at present by a modern, open-sided agricultural barn with a functional appearance. While a common feature in rural areas, particularly in proximity to agricultural land uses, it is somewhat incongruous in the otherwise predominantly residential settlement of Holywell. This is because the transition from the developed area of the settlement to the surrounding rural and agricultural landscape is quite sharply defined.
15. The proposal would occupy a similar position and be of a similar scale to the barn. The evidence before me indicates the barn has been used to house agricultural machinery, and there is no reason the land could not be used for similar purposes again. Consequently, its replacement with a domestic property and the associated paraphernalia would have a broadly similar visual effect to the existing use of the site.
16. There would be no impact on the physical fabric or immediate setting of the Church given the location of the appeal site a short distance away. There are no direct views or intervisibility strongly linking the appeal site to the Church. Given the limited visual changes that would occur as a result of the proposal, the authenticity of how the Church is experienced and its heritage values understood, would not be diminished. The asset's setting would therefore be preserved and its significance not harmed.
17. Given the low position of the Well within the churchyard, the proposal would not affect how it is experienced nor would it alter the ability to appreciate its significance. The asset's setting would therefore be preserved and its significance would not be harmed.
18. The removal of the barn would have a positive effect on the character and appearance of the CA given its functional appearance and land use. The replacement dwelling would be of an appropriate scale and appearance in this location given its proposed use and position at the edge of the settlement in an unobtrusive position within the CA. It would therefore preserve and enhance the character and appearance of the CA as a whole.
19. Buildings along Conger Lane vary considerably in scale and appearance. Opportunities to view them as a group are limited due to the single width nature of Conger Lane and its position on the edge of the village. The proposed dwelling

would have a modern, somewhat utilitarian appearance due to the low pitch height of the roof, suggested materials and irregular pattern of fenestration. However, the Council has not identified any concerns with the appearance of the proposed dwelling and I have no reason to disagree.

20. The proposal would have a neutral effect on, and so would preserve, the setting of the Church and the Well. It would also enhance the character or appearance of the CA. The proposal would therefore comply with the requirements of the Act and be in accordance with the provisions of the Framework. It would also comply with Huntingdonshire Local Plan to 2036 Policies LP10 part b, LP11, LP12 parts a - c, LP33, and LP34 parts f - j which require development to recognise the intrinsic character and beauty of the countryside, respond positively to its context, integrate with adjoining buildings, enhance its immediate setting and protect the significance of designated heritage assets.

### **Other Matters**

21. Given the position of the proposed dwelling and garage within the substantial plot, there would be a neutral effect on the living conditions of neighbouring occupiers. Disturbance from construction traffic would be short lived given the small scale of the proposal. The traffic generated by a dwelling would be likely to involve smaller vehicles than would reasonably be expected with an agricultural barn, which could also generate a considerable number of vehicle movements.
22. The planning obligation secures a contribution of £170 for the provision of wheeled bins to serve the property. I am satisfied this contribution is necessary to make the proposed development acceptable in planning terms and is directly related to the appeal scheme. As it relates to a standard per dwelling charge, I consider it to be fairly and reasonably related to the proposal in scale and kind. I am therefore satisfied that the planning obligation would meet the requirements of Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 58 of the Framework.
23. The evidence before me refers to the proposal as being self-build however there is no mechanism to secure this. As the application was made prior to 2 April 2024, it is not subject to mandatory biodiversity net gain. Other legislation would address the control of asbestos on the site if necessary.

### **Conditions**

24. The Council has suggested conditions should I be minded to allow the appeal. I have had regard to these in light of the tests set out in paragraph 57 of the National Planning Policy Framework and the advice in the Planning Practice Guidance (PPG). I have made amendments to some of them for consistency, clarity and to ensure that they are enforceable. I have imposed standard conditions relating to the commencement of development and approved plans to define the terms of the permission.
25. It is reasonable and necessary to require details of materials to be approved in the interests of the character and appearance of the CA as they are not specified in the details before me and address the discrepancy between the vertical cladding shown on the proposed elevations and the horizontal cladding referred to on the application form. I have removed the requirements with respect to meter boxes

and extraction equipment as this is not necessary given the appearance of the proposed dwelling.

26. It is reasonable and necessary to ensure that the proposed dwelling meets standards for adaptable and accessible dwellings to meet the needs identified in the LP. It is a requirement of the LP that water consumption be limited to the optional building regulations standard, therefore the condition is reasonable and necessary.
27. In the interests of biodiversity, it is necessary to ensure the development is carried out in a precautionary manner and that the identified enhancements are secured. I have removed the requirement for monitoring as this would not be reasonable given the proposal is for a single dwelling. Given the elevated position of Holywell, it is reasonable and necessary to require details of landscaping to be submitted and approved in the interests of the character and appearance of the area. I have amended this condition to require the landscaping to have regard to the relevant recommendations of the preliminary ecological assessment.
28. Given the existing and proposed use of the site, there would not be such a change in the nature of the trips to the site that a condition survey of the highway and remediation would be reasonable. The Council's officer report refers to the need for a condition to secure bin storage but no condition was suggested to me. Given the scale of the plot, such a condition would not be necessary.
29. A condition has been suggested which would restrict permitted development rights for the dwelling. The PPG states that "Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity". I have not been presented with compelling reasons why permitted development rights should be withdrawn in this case so I have not imposed this condition.

### **Conclusion**

30. For the reasons given above the appeal should be allowed.

*Jennifer Wallace*

INSPECTOR