



Appeal Decisions

Site visit made on 12 June 2007

by **B.S.Rogers** BA(Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Date: 21 June 2007

Appeal A Ref: APP/W0530/E/07/2035990

No.49 Station Road, Histon CB4 9LQ

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by The Strategic Land Partnership LLP against the decision of South Cambridgeshire District Council.
- The application Ref: S/2090/06/CAC, dated 25 October 2006, was refused by notice dated 22 December 2006.
- The demolition proposed is no.49 Station Road.

Summary of Decision: The appeal is dismissed.

Appeal B Ref: APP/W0530/E/07/2035986

Land at Bishop's Cycles, no.49 Station Road and land to the rear of 51-55 Station Road, Histon CB4 9LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by The Strategic Land Partnership LLP against the decision of South Cambridgeshire District Council.
- The application Ref: ~~S/2111/06/E~~ dated 25 October 2006, was refused by notice dated 22 December 2006.
- The development proposed is the erection of 7 residential units and 2 retail units and the rationalisation of the rear gardens to nos.51, 53 and 55 Station Road, Histon.

Summary of Decision: The appeal is dismissed.

Background

1. The appeal sites are within the Histon Conservation Area. Conservation Area Consent for the demolition of the former Bishop's Cycles shop was granted by the Council in May 2005. A proposal to replace this with 3 terraced dwellings and a bungalow was refused by the Council and the subsequent appeal was dismissed in May 2007 (Ref: APP/W0530/A/06/2028714). Appeal A seeks the demolition of the adjacent detached house, no.49 Station Road and Appeal B seeks to redevelop the combined site.

Main Issues

2. The Main issue in both appeals is the impact of the proposal on the character and appearance of the Histon Conservation Area. Additionally, in Appeal B, I shall consider the impact of the proposal on highway safety in the locality and on the living conditions of neighbouring residents.

Reasons

Demolition of no.49.

3. The Histon Conservation Area broadly follows the linear pattern of the older part of the village along Church Street, High Street and Station Road. It comprises predominantly frontage development, in which the variety of the built form reflects the historic growth of the village. It still retains a semi-rural character, to which trees, hedges and other vegetation make a significant contribution. No.49 is a detached house in a fairly large garden, containing mature vegetation, the most significant of which is the large Beech tree to the rear of the dwelling, which is protected by a Tree Preservation Order (TPO).
4. Advice on the assessment of unlisted buildings in conservation areas is provided in the English Heritage document *Guidance on Conservation Area Appraisals (2006)*. I have looked at the 10 tests contained therein and conclude that, although it is an indication of one period of growth of the settlement, the house itself does not make a positive contribution to the character or appearance of the area. The house dates from around the 1920s and although it appears to have been influenced by the Arts & Crafts style, it appears to have no particular architectural or historic interest; furthermore, it has been unsympathetically altered and extended. A well conceived redevelopment could equally preserve the semi-rural character of this part of the Conservation Area.
5. Having reached the above conclusion, there is no requirement to consider the condition of the building or the viability of its use. Furthermore, I fail to see the relevance of the reason for refusal relating to the loss of the Beech hedge; this is not a consequence of demolishing the house but of the proposed redevelopment. Therefore I accept that the demolition of no.49 would not conflict with Policy EN32 of the South Cambridgeshire Local Plan, which seeks to retain buildings which make a positive contribution to the character or appearance of the area. However, as advised by PPG15: *Planning and the Historic Environment*, consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. I shall therefore go on to consider the merits of the redevelopment scheme.

The Redevelopment Scheme

6. The proposed semi-detached houses on plots 4 and 5 would, in their siting, form and materials, be broadly consistent with the pattern of development in the adjacent terrace and would represent an improvement to the street scene compared to the former cycle shop. However, they would continue a rather uniform row of development, which would lack the characteristic variety of the area. Moreover, their fenestration would appear rather discordant with the typical vertical emphasis of the fenestration in the area.
7. The proposed shops and dwellings 6 and 7 would effectively replace no.49. However, the much more substantial size of the building and its far greater proximity to Station Road, would render it an unduly harsh and incongruous feature in the street scene. The unacceptable impact would be exacerbated by the loss of most of the Beech hedge, which contributes to the semi-rural character of the area.

8. The development in depth of Plots 1-3 would be uncharacteristic of the historic pattern of development in the village, which is predominantly linear in form. Furthermore, by dint of their substantial size and by occupying the visual break in the frontage, created by the proposed access, their presence would increase the 'hardness' of the development, when viewed from Station Road. The development would appear uncharacteristically urban and out of context here.
9. The Beech tree subject to the TPO, adjacent to Plots 1-3, is intended to remain. Although the dwelling on Plot 3 would encroach to a minor degree into the assumed root spread area, with careful management of the construction process, it appears probable that the tree would not be fatally harmed. Significant surgery to reduce its crown spread is proposed. However, even if this were considered acceptable, the proximity of the rear of Plots 1 and 2 to this very large and dense tree would in my view place its long term retention at risk. The tree would significantly reduce the daylight available to the rear of these dwellings and would appear unduly overbearing to their occupants, particularly at times of strong winds. Having regard to the acknowledged importance of this tree to the character of the area, I find this relationship to be unacceptable.
10. I conclude that the proposal would harm, rather than preserve or enhance, the character and appearance of the Histon Conservation Area. This would be inconsistent with the advice of PPG15 and would conflict with Local Plan Policy EN30. The benefit of making more efficient use of urban land would not outweigh the harm arising.

Highway Safety

11. The appeal site is within a part of Histon which has high levels of on-street parking. It is close to the busy junction of Station Road with Saffron Road and New School Road, which also has considerable pedestrian movement associated with the local primary school. The traffic calming measures and 20mph speed limit indicate the concern over highway safety here. Although the proposal appears to make adequate provision for parking for the proposed dwellings, the proposed retail units would have neither staff nor customer parking.
12. There is already a retail unit on site, with a floorspace much larger than now proposed. However, the likelihood of its authorised use resuming appears slim, given its poor condition and the attempts made to redevelop it. Although the maximum of 6-9 spaces which the Council argue should be provided for the new units appears rather high, I find the complete lack of parking provision to be unacceptable. It would unduly add to on-street parking in Station Road or nearby roads, to the detriment of highway safety.

Residential Amenity

13. The dwellings on Plots 1-3 would be distinctly noticeable from the neighbouring properties and, as I conclude above, out of character. However, in terms of overlooking neighbouring property, I consider the proposal to be acceptable, having regard to the position of the fenestration, the distance to the boundaries and the degree of boundary screening. Neither would the dwellings unduly overshadow neighbouring gardens. The appellants are willing to reduce the height of the proposed car port to reduce its impact on the neighbouring

garden, whilst retaining its screening function. Subject to this, which could be ensured by a planning condition, I find the relationship of the development to neighbouring dwellings to be tolerable.

Overall Conclusion

14. For the reasons given above, and having regard to all other matters raised, I conclude that, on balance, Appeal B should fail. Because I have found the proposed replacement scheme unacceptable, Appeal A must also fail.

Formal Decision

15. I dismiss both Appeal A and Appeal B.

B.S. Rogers

Inspector

28.11.06 Del

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
CAMBRIDGESHIRE**

Form 5
Ref. S/2111/06/F

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

TO: Justin Bainton
Januarys
York House
7 Dukes Court
54-62 Newmarket Road
Cambridge
CB5 8DZ

The Council hereby refuses permission for 7 Residential Units and Two Retail Units Following Demolition of Existing Buildings, Change of Use of Land to Residential

at Land at Bishops Cycles, 49 Station Road and Land to Rear of 51-55 Station Road, Histon (for The Strategic Land Partnership LLP)

In accordance with your application dated 25th October 2006

for the following reasons:-

1. The site is within the Histon Conservation Area. Whilst there may be some merit in replacing the existing cycle shop the detailing of the proposed dwellings and retail units do not sit comfortably into their context and as such do not preserve or enhance the character and appearance of the Conservation Area contrary to the requirements of Policy EN30 'Development in Conservation Area' of the South Cambridgeshire Local Plan 2004.
2. The proposed development by reason of the fact that the beech hedge to the front is to be removed and the demolition of the dwelling known as No. 49 Station Road are to be replaced by a scheme which is considered to not preserve or enhance the character and appearance of the Conservation Area without which the removal of the hedge and dwelling would have an adverse impact. This is contrary to Policies P7/6 of the Cambridgeshire and Peterborough Structure Plan and Policy EN30 and EN32 of the South Cambridgeshire Local Plan 2004.
3. The proposed development does not provide customer or staff car parking for the retail units and given the location whereby the site is in close proximity to Saffron Road/School Road/Station Road junction which generates considerable pedestrian and vehicular traffic. This being contrary to Policy TP1 of the South Cambridgeshire Local Plan.
4. The proposed site layout includes backland development that will result in an overbearing appearance when viewed from the neighbouring cottages and overlooking and loss of privacy of neighbouring dwellings and private amenity spaces. Lastly, this layout is out of character with the existing pattern of development in the vicinity and as such the proposals are contrary to Policies SE2 'List of Rural Growth Settlements', HG11 'Backland Development' and EN30 'Development in Conservation Area' of the South Cambridgeshire Local Plan, adopted 2004.

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

5. The proposed development will result in the works being carried out to the beech tree which will not be of long term benefit. The location of units 1,2 and 3 could have a detrimental impact on the survival of this tree which currently is an important feature of the Conservation Area. This being contrary to Policy EN30 of the South Cambridgeshire Local Plan 2004.



Dated: 22nd December 2006.

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA.

Head of Planning.