

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

6th October 2004

AUTHOR/S: Director of Development Services

**S/1766/04/F - Meldreth
Change of Use of Land to Garden Land and Construction of Tennis Court at 36 North
End for Mrs K Betts.**

Recommendation: Refusal

Site and Proposal

1. The 0.05 hectare application site is located off North End, outside of the village framework and outside of the designated Conservation Area for Meldreth. The application site is located within the grounds of a Listed Building. The grounds, situated next to a moat are very rural in their setting and open to attached paddock land. There is paddock to the west of the dwelling house and there is a garden wall that runs south west from the rear of the house, separating the two uses of the land on this site.

The full planning application received 20th August 2004 is for the change of use of garden land and the construction of a tennis court with chain link fencing surrounds.

Planning History

2. None relevant to this application

Planning Policy

3. **Policy EN28** Development within the curtilage or setting of a Listed Building of the Local Plan requires proposals to be sympathetic to its surroundings.
4. Structure Plan 2003 **Policy P1/2** seeks environmental restriction on development in the countryside and designated areas.
5. Structure Plan 2003 **Policy P7/6** seeks to protect and enhance the quality and distinctiveness of the historic built environment

Consultation

6. **Meldreth Parish Council** recommends approval stating that it has "*no objections to this proposal and considers that there would be no demonstrable harm to the community*"
7. **Conservation Manager** states the following:

"Having visited the site it is evident that the structure will only be visible from within the grounds. However the proposed 2.25m fencing and surface treatment will have a significant impact on the setting of the Listed Building group. In particular the erection of the fencing will:

- a) *screen the garden wall, which will form part of the Listed building group (curtilage structure)*
- b) *create an encroachment into the countryside outside the village framework.*
- c) *disrupt the visual relationship of the walled garden to the enclosing pastoral/paddock area by extending the domestic structures into the agricultural landscape*
- d) *introduce alien material into the pastoral landscape (i.e. the green tarmac and 2.25m green fencing)*
- e) *the excavation to create the court would potentially damage archaeological remains (although this might be mitigated by a watching brief)*

Therefore, I am of the opinion that the proposed development would detract from the setting of the Listed Building group and its important visual relationship with the paddock/pastoral area. The result would be to damage the 'well being' of the listed building and be consequently contrary to Policy EN28 of the Local Plan.

While I have considered potential methods of mitigating the impact of the structure (such as reducing the height of the central fence section and adopting less strident colours and screen planting) I am not satisfied that these could temper the impact of the structure on the listed group. I consequently suggest that the application should be refused."

Representations

- 8. None received

Planning Comments – Key Issues

- 9. The Key Issue for this application is the effect the development will have on the surrounding Listed Buildings.
- 10. **Listed Buildings** – The development is proposed to be located on the outside of the garden wall that runs southwest from the rear of the dwelling house. The land at present is not used as garden land and is separate from the existing garden space. The wall divides the land uses significantly. To the west of the wall is paddock land, predominately surrounded by young and mature trees and a rear view of 34 North End. The setting is predominately rural and the introduction of the proposed materials would be detrimental to the setting of this group of buildings and its surrounding countryside. In my view the tennis court with its associated fencing and activity would introduce an urbanising and harsh feature in this pastoral landscape which would be completely out of keeping with its surroundings. It would represent an extension of development into this area of unspoilt countryside, which would have a harmful impact on the character of the surrounding listed buildings. Whilst it is appreciated that it may be possible to mitigate the appearance of the development to some degree, in my view it would not be possible to satisfactorily assimilate a development of this scale and type within this sensitive setting.

Recommendation

- 11. Refuse

The construction of the tennis court and the surrounding fencing will intrude in the countryside and detract from the character of the surrounding listed buildings; consequently the proposal will be contrary to Policy EN28 of the South Cambridgeshire Local Plan 2004 and Policy P1/2 and P7/6 of the Cambridge and Peterborough Structure Plan 2003, which aim to protect the character and setting of Listed Buildings and the rural character of the countryside.

Background Papers: the following background papers were used in the preparation of this report:

- Planning File reference S/1766/04/F
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003

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