



Appeal Decision

Site visit made on 27 May 2022

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/V0510/D/22/3295034
6 Butts Lane, Wicken CB7 5XU.

- 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 Ms Caroline Delph against the decision of East Cambridgeshire District Council.
 - The application 21/01646/FUL, dated 16 November 2021, was refused by notice dated 11 January 2022.
 - The development proposed is partial demolition of existing garage and outbuilding and erection of replacement garage, potting shed, garden room and office/gym.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development on the application form was as stated above implying that only part of the existing structure would be removed. However, it was clear from the site visit that in fact some demolition has already taken place and that the proposal would remove all of the existing garage and adjoining structures.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and its surroundings on Butts Lane and the setting of the Wicken Conservation Area.

Reasons

4. The appeal site sits on the east side of Butts Lane adjacent to the public footpath that heads down to allotments to the rear of No 6. The site abuts the boundary of the Wicken Conservation Area which runs along the southern plot boundary but the plot is not within it.
5. No 6 is a bungalow built of brick and tile sitting in an extensive plot. It has been significantly extended to the rear with a large, contemporary, dormer roof extension providing accommodation in the roof space. The buildings the subject of the appeal are a set of outbuildings providing garaging and storage built in a variety of materials and accepted by the parties to be not in good repair.
6. The proposal would see the removal of all of the structures and their replacement by one single building.
7. I have been referred to a number of examples of other large outbuildings in Wicken which the appellant considers would justify allowing the appeal. However,

although I acknowledge these buildings are large, the example in Back Lane in particular does not have the same close relationship to the Conservation Area as the appeal property. Whilst the example at 35 High Street is within the Conservation Area it has a much smaller footprint than the appeal proposal which would be almost double the footprint proposed at No 35. Moreover, in the case of Back lane in particular the outbuilding sits in the context of a larger house than is the case with the bungalow at No 6. I am not therefore persuaded that the cases are directly comparable and I will therefore consider the appeal case on its own merits.

8. I acknowledge that the footprint of the new outbuilding, whilst slightly different to the existing assemblage of buildings, is slightly smaller in area than the remaining buildings. The footprint of the existing buildings, now remaining, is not however as large as that suggested in the appellant's statement. Notwithstanding the slight reduction in footprint, the new building would be substantially taller. The present buildings have a height of around 2.5-2.7 metres whilst the new building would be around 4.3 metres at its highest point. The result of this would be a building that would dominate the plot and would not be subservient to the main house.
9. I note that the appellant's intention in the proposed design is to install northlights in the outbuilding to allow natural light into the working area of the building. However, this would have the result of increasing the overall height and I am not persuaded that other forms of rooflight would not have achieved the same end whilst enabling a reduction in height.
10. I took the opportunity of viewing the proposal from the public footpath and allotments and, along the footpath, although the eaves height on the southern boundary would not be much different to the height of the existing structures, the pitched roof rising away from the lane would increase the enclosing effect of the building. From the east and north the effect of the increase in height would be worse. With the outbuilding positioned closer to the allotment track the building would be more overbearing on this open space. It would form a bulky and dominant addition to the plot and highly prominent in the setting of the Conservation Area viewed from east and north as well as from Butts Lane.
11. It has been put to me that, given the state of the existing buildings, the replacement with a modern, well-designed, functional building would improve the streetscene and would not impact on the heritage asset in the form of the listed pub. I acknowledge that the appellant has sought to lower the height from the initial application and reflect the contemporary form and materials of the extension to the bungalow and that the proposal would have minimal impact on the setting of the listed pub. However, the appellant has largely discounted any impact on the Conservation Area because the site is not within it. Legislation and national policy, however, requires preservation of both an asset and its setting and the scale of the proposed building, particularly its height, in its context would be detrimental.
12. The Council, to assist householders in the design of proposals, has prepared the *East Cambridgeshire District Council Design Guide* (SPD) to guide development and ensure good design. In respect of outbuildings it advises that where a larger building is required, the proposed building should be of the minimum size necessary and should take account of the location in which it is to be set in terms of its design, size, location, and finishing materials. It should not compete in any way, with the host dwelling. The proposal does not satisfactorily demonstrate how these requirements would be met and, whilst I note the appellant refers to the

need to accommodate machinery, there is no specific evidence before me to justify a roof height of 4.3 metres as the minimum size necessary.

13. The *National Planning Policy Framework* (the Framework) at paragraph 130 requires that developments must be sympathetic to local character to create high quality buildings and spaces amongst other things and in these respects the proposal fails. Policy ENV2 of the *East Cambridgeshire Local Plan* (ECLP) reflects the Framework in requiring development to be of the highest architectural quality and to respond to local character and to ensure that the layout, scale, form and massing of buildings relate sympathetically to the surrounding area amongst other things. For the above reasons, i.e. the scale and height of the outbuilding, the proposal would have an unacceptable impact on the established character and appearance of the area of Butts Lane and would constitute harm to the setting of the Conservation Area.
14. As such the requirements of the Framework at paragraph 199 and ECLP Policy ENV11 which, in conservation areas, requires development affecting the Conservation Area, whether within it or within its setting, to preserve or enhance the character and appearance of the area would not be met. I accept that the harm to the Conservation Area would be less than substantial and, in these circumstances, the Framework at paragraph 202 allows for any public benefits of the proposal to be taken into consideration. In this case the appellant has argued that the removal of the current ramshackle buildings would be an improvement to the setting of the conservation area. Whilst this might have carried weight with a smaller, lower building, the scale and design proposed is such that the harm to the setting of the Conservation Area would not be outweighed and the proposal fails to at least preserve the Conservation Area.

Other Matters

15. I understand the appellant's wish to achieve machinery storage, garaging and working space for horticulture on her plot in a modern, well-organised building and in that way make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting. As such, sustainable and effective use of the site would not, of itself, justify the large scale of the proposal or outweigh the harm to the character and appearance of the surrounding area of Butts Lane and the setting of the Conservation Area.

Conclusion

16. In reaching my decision I have had regard to the matters before me and for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR