
Appeal Decision

Site visit made on 17 August 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2022

Appeal Ref: APP/V0510/D/21/3288289

Larretts, 152 The Street, Kirtling, Newmarket, Suffolk, CB8 9PD

- 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 Mr and Mrs Ian Wright against the decision of East Cambridgeshire District Council.
 - The application Ref. 21/01132/FUL, dated 2 August 2021, was refused by notice dated 27 September 2021.
 - The development proposed is the erection of a two-bay oak-framed carport.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the setting, character and appearance of the Grade II listed dwelling, Larretts.

Reasons

3. The appeal property contains a Grade II listed seventeenth century dwelling (former post office) with later additions. A particularly notable feature is a steeply pitched, gabled front wing, which is the most prominent part of the building when viewed from The Street. The dwelling is set back from the roadside, on slightly lower ground, behind a deep gravelled drive and boundary planting. There is a converted pigsty set back and to one side of the dwelling, and its height and siting means that it does not visually compete with the host house. The pigsty has garage doors but is used for domestic storage, being too small to park a modern vehicle. As noted in the combined Design, Access & Heritage Statement (DAHS), this building forms an integral part of the historic setting of Larretts.
4. The Council's assessment notes that Larretts is one of a series of historic smallholdings which are characterised by spacious plots with an open aspect to the lane, and that this is a positive quality of their setting and allows unencumbered views both to and from each building. Notwithstanding that the plot of Larretts was previously subdivided to build the neighbouring house, 156 The Street (No.156), I agree that the frontage remains spacious, and makes a positive contribution to the building's setting. However, rather than being unencumbered, views are filtered by boundary planting.
5. The proposed carport would be positioned towards the western side boundary of the site, forward of the converted pigsty and the seventeenth century part of

the dwelling. Although it would be set back behind the front wall of the wing closest to the road, this would not prevent the structure from intruding into the setting of the listed building. The appellants have presented sound reasons for retaining the existing pigsty, but introducing a further structure at this point would undermine the currently spacious setting in front of the dwelling. Although the space between the carport and house may be enough to prevent harm to the stability of the house during construction, the visual gap would be reasonably modest.

6. The siting of the carport would not undermine the prominence of the existing front wing, but would project forward – albeit to the side – of part of the principal elevation of the dwelling. Whilst the open-fronted design, use of good quality materials and lowered slab level would mitigate this impact to a degree, it would nevertheless be a significant structure within the setting. My concerns on this point are not allayed by the modelling included in the DAHS, which suggests that the building would have a significant presence in the foreground, with a roofline that would intrude into some views of the house.
7. I appreciate that the adjacent dwelling, No.156, has some impact on the setting of the listed building due to its height and position, but that is further away from the listed building than the proposed carport. Rather than benefitting from the backdrop of No.156, the proposal would introduce a further feature into the setting at a point close to the dwelling.
8. I am mindful of the Historic England advice that conserving or enhancing heritage assets by taking their settings into account need not prevent change. The building would be of sufficiently high quality and design to accord with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (LP). This is supported by the assessment in the Council's report, which also notes that the set back position and screening means that the building would not be overly dominant in the street scene. However, the effect in street scene terms is only one aspect of the setting of the listed building. In this case, I consider that the siting and proximity of the proposed building would nevertheless encroach on the prevailing openness of the site frontage, which positively contributes to the setting of the building.
9. The appellants have drawn attention to a cart lodge within the front garden of The Beehive, a listed dwelling further west along The Street. There is also a large outbuilding close to the road in front of No.156. However, in the absence of details of the planning permission¹ granted at The Beehive and the reasoning behind that decision, I cannot make a direct comparison. The Beehive cart lodge does not appear to be sited directly in front of an existing outbuilding; it appears more subservient, being closer to the tallest and more imposing section of the dwelling than in this case; and has not created the cluster of buildings that would arise at the appeal site.
10. There is a statutory duty² for decision makers in considering whether to grant planning permission for development which affects a listed building or its setting, 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. This is reflected in the National Planning Policy Framework (the Framework), which requires great weight to be given to an asset's conservation

¹ Ref. 14/00224/FUL

² Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

when considering the impact of a proposed development on the significance of a designated heritage asset. It notes that such weight should be applied irrespective of the level of potential harm.

11. Having regard to paragraph 202 of the Framework, the proposal would lead to less than substantial harm to the significance of Larretts as a designated heritage asset, but this harm must be weighed against the public benefits of the proposal. The inclusion of an array of in-roof photovoltaics to power an electric vehicle charging point would be an environmental public benefit, given the need to support more sustainable transport options to help combat climate change. I note the reason that the current applicants need short notice access to road-ready vehicles in all weathers, and to a degree this could be regarded as a social public benefit. However, these public benefits would not outweigh the less than substantial harm identified. Any visual benefit of placing vehicles under cover would be largely neutral in the balance, as it would not prevent vehicles parking elsewhere on the gravelled forecourt in front of the listed building.
12. I therefore conclude that the proposal would detract from, and fail to preserve, the setting of the listed building, contrary to the conservation aims of the Framework, and LP Policy ENV12, which only supports proposals that affect the setting of a listed building if they preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset, and do not materially harm its immediate or wider setting.

Other Matters

13. Representations have been made regarding the impact of the proposal on the light and outlook of an adjacent window at No.156. However, given the current boundary treatment, the distance between the neighbouring dwelling and the proposed building, and the slope of the roof away from the shared boundary, I agree with the Council's view that the proposal would not create any significantly detrimental effects on residential amenity.
14. I note the appellants' comments about the processing of the application and engagement with the Council, but such matters cannot be explored in a section 78 planning appeal, and I have considered the appeal on its planning merits.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

H Lock

INSPECTOR