



Appeal Decision

Site visit made on 16 August 2024

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 9th September 2024

Appeal Ref: APP/V0510/W/24/3336291

Station House, Lynn Road, Chettisham, CB6 1RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The application is made by Miss Tara Todd against the decision of East Cambridgeshire District Council.
 - The application reference is 23/01153/VAR.
 - The application sought to allow alterations to the design of the approved dwelling; without complying with conditions attached to planning permission 22/00705/RMA, granted 7 October 2022.
 - The condition in dispute is No.1 which states that: 'Development shall be carried out in accordance with the drawings and documents listed below.'
 - The reason given for condition No.1 is: 'To define the scope and extent of this permission.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. It is noted that the Reasons for Refusal in the Council's Decision Notice cited the East Cambridgeshire Local Plan 2015. Since the determination of the planning application, on the 19th October 2023 the Council adopted an update of the Local Plan which has been subject to independent examination and which supersedes the policies of the 2015 Local Plan. The Council have supplied copies of the policies under the 2023 East Cambridgeshire Local Plan (LP) which remain the same numbers as existing and contain amendments to the contents of some of the policies. I have therefore made my decision on this basis and have only referred to the adopted policies of the LP in this decision.

Main Issue

3. The main issue is the effect of the proposed variations to the roof form of the main dwelling upon the character and appearance of the proposed dwelling and the greater locality.

Reasons

4. The appeal site lies to the rear of Station House, which has the appearance of a former train station that is located alongside a railway line. Station house appears to date from the mid-late nineteenth century, and has a domineering presence to the surrounding area with shallow hipped roof forms, large central chimney stacks and white stuccoed walls. There are a small number of dwellings surrounding

Station House which appear to have been associated with the railway, such as the two sets of semi-detached cottages with large coaxial chimney stacks, pitched roof forms and buff brick façades, and to the rear of these are another set of semi-detached cottages with hipped roof forms and red brick facades. There is an essential rural feeling in this locality, with relatively flat terrain with these groups of dwellings seen amongst the rural agrarian setting with the dwellings having a presence and contributing to the rural qualities and spaciousness of the locality. These are some of the characteristics that contribute to the local character and distinctiveness of the locality.

5. The proposed dwelling is positioned side-on to the rear of Station House, with its rear façade along the railway, which is one of the more obvious viewpoints where the proposed dwelling would be experienced travelling along Lynn Road. The main concern from the Council is with regards to the change in the main roof form from hipped to pitched and gable. Given the dominance of chimney stacks to the positive qualities of the locality, the change in roof form would now result in the chimney intersecting part of the gable with the chimney pot rising slightly above the apex. This results in an awkward and disproportionate appearance of the chimney stack to the roof of the dwelling, particularly when seen amongst the surrounding development where chimney stacks are a dominant feature. Additionally, the dwelling is quite wide and tall in terms of its massing, the aim of the hipped roof is to reduce the massing of the roof and which matches the hipped roof form of the canted bay windows and the small side protrusion. The pitched and gabled roof form of the main roof would not reinforce the character and design cues of the existing building and would accentuate the massing to the detriment of the existing building and the character and appearance of the surrounding area.
6. Whilst I appreciate the Appellant's comments that the site is not within a Conservation Area or an 'area of interest' this does not change the way that LP policies ENV1 or ENV2 operate which is to achieve high quality development in all situations, where character is also not confined to what can be seen within the public realm. I can also appreciate that the Appellant feels aggrieved by what they feel is a subjective viewpoint from the planning officer, design is subjective, however there are a number of considerations around the surrounding character and the Local Plan Policy which have been taken into account that have influenced the planning officer in their judgement. As such it would not be unreasonable to come to the position which the Officer determined.
7. In conclusion on this matter, the proposed change in roof form would not reinforce the positive qualities of character and appearance and be detrimental to the local distinctiveness of the area. Consequently the proposed variations would be contrary to LP Policy ENV1 which seeks that when proposing new development that there is consideration around landscape and settlement character such as how the development complements the character of existing development such as location, scale, form, design, materials, settlement pattern, and vegetation amongst others and LP Policy ENV2 which is a design led policy which seeks to implement a number of design principles such as making efficient use of land, and understanding location, layout, scale, form, massing, materials amongst others.

Other Matters

8. I note that there are concerns from the Appellant with regard to there not being any objections from the City Council, Environmental Health or Highways. The lack of objections from internal or external consultation bodies does not result in an application being appropriate when considered against the Development Plan and any other material considerations.
9. I also note that the Appellant has referred to 'other roof types/styles have been granted/approved in the past 12 months' however no specific applications or property addresses are referred to. It is therefore difficult to consider whether the circumstances behind these applications are 'the same situation' or similar to this appeal. As such, I have not been able to take these other roof types which have gained approval into account into this determination.

Conclusion

10. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR