



Appeal Decision

Site visit made on 24 April 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025.

Appeal Ref: APP/V0510/D/24/3355060

48 Mill Lane, Stetchworth, Newmarket CB8 9TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Kim Bartlett against the decision of East Cambridgeshire District Council.
 - The application Ref is 24/00479/FUL.
 - The development proposed is a single storey extension and detached cart lodge and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the host dwelling and the area; and
 - the effect of the proposal on protected species.

Reasons

Character and appearance

3. The appeal property is a substantial detached dwelling located near the head of Mill Lane where it leads to a public footpath. Mill Lane is predominantly residential with a varied arrangement of dwellings. The siting of the host building is set back from the neighbouring property and is provided with a degree of separation physically and visually from nearby dwellings that line Mill Lane. This also means that the property is viewed in a relatively open context next to the fields to the north, which is a positive attribute, and therefore it appears quite distinct and prominent.
4. The detached cart lodge would be discretely located close to the site boundary and dwelling at 46 Mill Lane. It would incorporate natural and suitable materials, and its design would reflect the character of the host building and its rural setting. Although it would be located forward of the appeal dwelling, it would not project forward of No 46. Nor would it encroach across the front of the host building, thus allowing gaps of the countryside to still be seen. No 46 would also largely screen the cart lodge when viewed from the eastern side of Mill Lane. From the opposing direction No 46, and other development would also act as a backdrop. Although

the cart lodge would be highly visible when viewed head on, the distinct and set back separate setting of the appeal property in this case would satisfactorily allow for the discrete location of the forward siting cart lodge of this scale without undue harm to the host property or the character and appearance of the area or wider countryside.

5. In contrast the single storey extension would be sited across and in front of the host dwelling. This element would be almost as wide as the host property itself. It would not be discretely located, extending some degree to one side obscuring the backdrop of the open landscape. The proposal would also introduce a variety of mismatched gabled roof features, compared to the host dwelling, and would significantly alter the simple form of the appeal property.
6. I appreciate that courtyard farmstead arrangements are evident within the countryside, but the host property is contemporary, and it has not been demonstrated that the wide elongated arrangement reflects local vernacular. The single storey extension would not be well screened and would be very visible from Mill Lane and surrounding countryside. Notwithstanding the discrepancies in the parties' floor area measurements the scale of the extension would further increase the prominence of the appeal property within the area. I am of the view the proposal would be a large incongruous addition on the host building and in the immediate area detracting from the open countryside beyond. The bespoke design clearly utilises high quality materials, however, this does not alter my above views.
7. Although I have found the cart lodge to be acceptable, I conclude that the single storey extension would harm the character and appearance of the host dwelling and the area. The proposal would therefore conflict with Policies ENV1, ENV2 and HOU8 of the East Cambridgeshire Local Plan April 2015 (as amended 2023) (the Local Plan). Together these seek, amongst other things, to ensure proposals create complementary relationships with existing development and are of an appropriate design which do not adversely affect any countryside setting. There would be conflict with Policy GROWTH2, as this seeks to permit extensions to dwellings in the countryside where it satisfies other policies in the Local Plan.

Protected species

8. The appellant has submitted a Preliminary Roost Assessment (PRA) with the appeal, conducted in accordance with survey guidelines by an ecologist. The residential property on site was considered to have low suitability for roosting bats. The PRA advises that it is unlikely that bats will be impacted by the proposed works due to the lack of impacts to the roof of the building, and lack of evidence of roosting bats in the small area of timber weatherboarding that would be altered by the proposed extension.
9. The PRA also recommended that checks should be undertaken by a licenced ecologist immediately prior to works commencing and that noise, lighting and vibration are kept to a minimum during works. Recommendations are also proposed for the unlikely event that bird's nests are discovered during works. As such, I am satisfied that suitable conditions could be imposed to ensure compliance with the above document. This also includes maximising opportunities for creation and enhancement of natural habitats.
10. The proposal would therefore be in accordance with Local Plan Policy ENV 7, which requires proposals to protect the biodiversity value of land and buildings.

The proposal would not conflict with guidance within chapter 15 of the Framework where it seeks to minimise impacts on and provide gains for biodiversity. The Council has not drawn my attention to any specific sections of the Natural Environment Supplementary Planning Document referred to in the reason for refusal. Therefore, noting its aims, the proposal would be in accordance with this.

Other Matters

11. Paragraph 2 of the Framework recognises that planning law requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
12. The Council considers that the proposal would not cause harm to the occupiers of neighbouring dwellings due to the existence of a high fence. I was able to observe this arrangement and agree with the Council that the proposal would not result in harm to the living conditions of nearby residents. Whilst the proposal may provide enhanced living accommodation for the Appellant, I have no substantive details of this before me.
13. The appeal site is not within a Conservation Area. I also have no evidence that there is any relationship between the appeal site and the non-designated heritage asset at 45 Mill Lane, whose significance can in part be derived from its unique architectural style. Although there would be intervisibility between the proposal and No 45, the distance between the asset and the appeal property would ensure the proposal would not harm its significance.
14. The site is within a Site of Special Scientific Interest, Impact Risk Zone. I have not been provided with any details in relation to this. I note the Council's ecologist has not raised any concerns in this respect. Therefore, as I am dismissing the appeal there is no need for me to consider this matter further.
15. I have found the cart lodge to be acceptable, and the proposal has provided sufficient information to address protected species. However these aspects and the above neutral matters, including the absence of objections from the Highway Authority, the Definitive Map Officer, the Parish Council and Conservation officer do not outweigh the harm arising from the single storey extension.
16. Whilst I have the power to issue a split decision on an appeal, this power is discretionary, and I am not obliged to use it. I do not consider that the parts of the proposal which are acceptable would be clearly and easily defined with reference to the submitted drawings. As such I do not consider that a split decision would be appropriate in this case.

Conclusion

17. The proposal conflicts with the development plan and the material considerations, including the provisions in the Framework, do not indicate that the appeal should be decided other than in accordance with it. I conclude the appeal should be dismissed.

K Williams

INSPECTOR