



Appeal Decision

Site visit made on 1 July 2025

by **Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/D0515/D/25/3366944

30 Railway Lane, Chatteris, Cambridgeshire, PE16 6NF

- 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 Cameron de Silva against the decision of Fenland District Council.
- The application reference is F/YR25/0233/F.
- The development proposed a two-storey rear extension and raise roof height to create a first-floor level including the insertion of 2 x dormer windows to front and 2 x roof lights to side, involving demolition of existing extensions and outbuildings.

Decision

1. The appeal is allowed, and planning permission is granted for a two-storey rear extension and raise roof height to create a first floor level including the insertion of 2 x dormer windows to front and 2 x roof lights to side, involving demolition of existing extensions and outbuildings at 30 Railway Lane, Chatteris, Cambridgeshire, PE16 6NF in accordance with application ref: F/YR25/0233/F and the plans submitted with it subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: location plan (unique reference: #00962410-7D7070), proposed street scene 5/18, proposed roof plan 18/18, proposed ground floor plan 15/18, proposed first floor plan 16/18, proposed front elevation 7/18, proposed rear elevation 11/18, proposed north elevation 13/18, proposed south elevation 9/18 and proposed site layout plan 3/18;
 - 3) The external materials used within the development hereby permitted shall match those of the existing building or be as stated within the submitted application forms and approved plans unless otherwise approved by condition. The materials will be maintained for the lifetime of the development and any changes shall be submitted to, and approved in writing by, the Local Planning Authority;
 - 4) Prior to their installation on site finalised details as to the materials and colour of the bi-fold doors to the rear elevation of the approved rear extension shall be submitted to and approved in writing by the Local Planning Authority. The materials will be maintained for the lifetime of the development and any changes shall be submitted to, and approved in writing by, the Local Planning Authority.

Procedural Matters

2. I have utilised the Council's description of the proposal as I find it more concisely describes the proposal.

Main Issues

3. The main issue is the impact of the proposal upon the host dwelling and the setting of the Chatteris Conservation Area.

Reasons

4. The appeal site is a single storey, detached, bungalow finished in buff brick with a slate roof with an existing projection to the rear which is combined with conservatory style extensions as well as a detached brick outbuilding within the rear garden. The site is noted to stand immediately adjacent to, but not within, the Chatteris Conservation Area (CA) and in accordance with Section 72 of the planning (Listed Buildings in Conservation Areas) Act 1990 there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a CA.
5. As part of the proposal, the rear projection/extensions (shown on the existing site plan as lean-to, kitchen and conservatory) would be demolished along with the outbuilding (labelled as a garage) and replaced with a two-storey rear extension. In addition, there would be further elements to the appeal proposal as confirmed and described within the development description in the header of this decision letter. This would include the provision of dormer windows to the front roof slope.
6. The Council, based upon the conservation referral comments (5 May 2025), state that owing to the rarity of type, the period of construction and originality of material appearance, the building is considered to be a non-designated heritage asset in its own right as well as benefitting the setting of the CA with a largely unaltered building of considerable rarity. The Council provide no further evidence or substantiation for this conclusion nor is, based upon the evidence before me, the appeal site included on any local heritage lists or similar which would formally identify the building as such – nor is there any evidence of the building having been assessed against an identifiable criteria or similar.
7. I am also mindful that the appeal site is specifically excluded from being within the red line boundary denoting the CA and no further evidence or reasoning as to its exclusion has been provided by the Council nor is therefore, for example, a CA appraisal identifying the special qualities of the area nor are such qualities noted by the Council or consultee response to support and justify their conclusions. The appellant sets out that the host dwelling was built circa 1939 to replace a two - storey house which was destroyed in a fire. Based upon the limited evidence before me at the point of determination of this appeal, particularly the limited assessment and evidence from the Council, I cannot reasonably consider that the host dwelling is a non-designated heritage asset in the context of this appeal.
8. Paragraph 216 of the National Planning Policy Framework 2024 (the Framework) outlines that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Even if I had agreed with the Council that the appeal site was a non-designated heritage asset a balanced judgment would be required having regard to those matters outlined. In this case I do not find that the scale of any harm, or loss, would be significant enough, taking into account the significance of the asset, to warrant refusal in the context of any

impact to the character and appearance of the dwelling itself. The original dwelling would, I find, still be legible for the reasons set out below.

9. At the time of my site visit I found the dwellings within the immediate street scene to be relatively varied in terms of their style, construction type and general character and appearance. I acknowledge that dormer windows are not a strong characteristic within the locality, however, immediately opposite the appeal site I noted small, dormer like, structures associated with the dwellings along Joshua Close. The proposed dormer windows in the front elevation would be larger than these, however, from the front elevation the removal of the chimney and the proposed dormer windows would, I find, leave the host dwelling roof clearly legible in terms of its original proportions due to the dormers being set up well from the eaves and in from the sides of the roof with a clear gap between. The dormers would align with the existing windows and be appropriately finished in terms of materials to match existing. The existing tripartite timber sash windows would be retained. I do not find, therefore, that the dormer windows to the front would dominate the existing roof slope nor detract from the character of the dwelling itself.
10. To the rear of the site the existing projection, conservatory style structure and garage/outbuilding are placed around the remains of a dilapidated patio area which does not currently contribute positively to the character and appearance of the host dwelling. I find that their demolition and replacement with a two-storey rear extension would positively consolidate and tidy the site. The rear extension would match the ridge and eave height of the host dwelling and whilst this would be relatively substantial in the context of the host dwelling, I find that the appeal site as it stands is severely limited by its existing footprint and size in terms of providing viable living accommodation to more modern standards.
11. The proposal would match the existing width of the host dwelling and would more or less double the footprint of the area of the dwelling but overall, the extension, whilst large in comparison to the host dwelling, is so because the host dwelling itself is notably limited in its bulk, scale and massing. Despite this I find that the proposal would still result in an appropriately sized dwelling for the size of the plot and would be viewed in terms of character in the context of the bulk scale and massing of generally two storey development within the immediate locality. The proposal, and dwelling, would not appear oversized or dominant in terms of general character and appearance.
12. Whilst the width and ridge height of the proposal would match the host dwelling, I do not find that this would result in an extension which would be inappropriate or disproportionate. The original rear roofscape would be legible in the context of the proposed extension which, aside from the additional scale at first floor/roof level, would ultimately consolidate and replace existing built form on site as previously outlined. The contrasting roof pitches would result in a clear distinction between the host building and the extension, and I find that a design to extend the property which would notably appear subservient (with for example a step in or reduced width) would, due to the limitations of the existing dwelling noted above, likely result in an overly complex or contrived design. The proposal before me is simple and clear in its objectives to extend the host dwelling to create viable living space.
13. The proposed extension would be visible from the surrounding public realm and the adjacent CA, however, a proposal being visible in the context of the CA does not automatically result in harm to that designated heritage asset nor warrant refusal. It

falls to assess the impact of that visibility and change in the context of the CA and the setting. At the time of my site visit, I found that views of the proposal along Railway Lane itself (which would be oblique) would be limited and would in any case be viewed in the context of the immediate built development which is largely two storey and of greater massing at first floor/roof level than the appeal site and the proposed extension.

14. A step in (sufficient to allow a plausible extension), as suggested by the conservation officer, I do not find would notably break up resultant massing when viewed from oblique angles. Any views from Horsegate Gardens to the rear, would again be appropriate due to the roof pitches creating a clear distinction between the host building and the extension as well as being proportionate to the overall bulk scale and massing of surrounding development. Overall, I find that the proposal would result in neutral impact to the adjacent CA as a designated heritage asset and would ultimately result in preservation of the setting of the CA in the context of the surrounding development.
15. In addition, there is no evidence before me to reasonably substantiate the Council's assertion that the appeal site is a non-designated heritage asset but, even if I had agreed with this and the host dwelling was such, I find that in terms of a balanced judgment the proposal would be acceptable in the context of the host dwelling itself for the reasoning I have set out. The dwelling, from my site visit, is in need of modernisation and proposals of this nature I find, would ultimately result in the host dwelling being viably modernised and extended, but in a manner which would still see the original dwelling legible and of general visual interest within the wider street scene.
16. The proposal would be consistent with Fenland Local Plan 2014 Policy LP16 which requires development proposals to deliver and protect high quality environments throughout the district with proposals demonstrating that they make a positive contribution to the local distinctiveness and character of the area, enhancing local setting and responding to and improving the character of the local built environment whilst not adversely impacting on the street scene. The proposal would also be consistent with LP Policy LP18 which seeks to protect, conserve and seek opportunities to enhance the historic environment. The proposal would also be consistent with the overarching objectives of the Framework as well as Section 72 which requires attention to the desirability of preserving or enhancing the character or appearance of a CA to be taken into account when considering development as well as giving great weight to an asset's conservation.

Conditions

17. The Council's questionnaire suggests, in the event this appeal is allowed, three conditions which I have considered and applied as appropriate. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent, and a materials condition is required to ensure an appropriate finish in accordance with the details submitted and in order to match those used within the existing building.
18. Where materials are not to match the host dwelling these shall be as per the application form and approved plans, however, I note that the colour of the bi-fold

doors is undecided as per the application form. In that regard I have, therefore, applied a condition which requires submission and approval of details of the final construction and colour of the bi-fold doors in order to ensure that they are appropriate in the context of the extension and the host dwelling to ensure high quality design.

Conclusion

19. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Marshall

INSPECTOR