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## Appeal Decision

Site visit made on 28 June 2011

by **C J Anstey BA(Hons) DipTP DipLA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 July 2011

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**Appeal Ref: APP/V0510/A/11/2147261**

**79 High Street, Swaffham Bulbeck, Cambridgeshire, CB25 0LX.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr & Mrs Butler against the decision of East Cambridgeshire District Council.
  - The application Ref 10/00815/OUT, dated 6 September 2010, was refused by notice dated 30 November 2010.
  - The development proposed is the erection of a single one-and-half storey house, with associated single-storey garaging/store.
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### Decision

1. I dismiss the appeal

### Main Issues

2. The main issues in this case are the effect on the setting of nearby heritage assets and the impact on the living conditions of neighbours.

### Reasons

3. The proposal involves the construction of a one-and-half storey house in part of the rear garden of 79 High Street, a detached Victorian house fronting the street. The proposed plot, which measures about 0.2ha, lies just outside the Swaffham Bulbeck Conservation Area, whilst the next-door house to the south-west, No.85, is a listed building. Existing gardens surround the plot. Access to the new house would be along the drive to the side of No.79.
4. The appeal application was made in outline form with all matters reserved for subsequent approval. Illustrative plans were submitted with the application indicating that the proposed house would be located towards the middle of the rectangular-shaped plot, on an east-west axis. The Design and Access Statement specifies a ridge-height of 7.25m and a foot-print of 6.5-7m x 19-20m. As part of the appeal submission further illustrative drawings were submitted indicating that the main orientation of the dwelling would be to the south. The only first floor windows in the northern elevation would be roof-lights to two en-suites and a bathroom. This additional material has been taken into account in my assessment of the proposal.
5. The appeal site is within the village development envelope where *Policy CS2 of the East Cambridgeshire Core Strategy 2009 (ECCS)* allows the construction of up to two dwellings provided there is no adverse effect on the scale and

character of the area and that all other material planning considerations are satisfied.

6. Although there is some development in depth along the east side of High Street, including a two-storey outbuilding at No. 85, various outbuildings in gardens, and a few houses served off a private drive further to the south, the distinctive character of this part of the Conservation Area is derived from the linear pattern of development with houses fronting the street and large gardens behind. The substantially undeveloped garden areas to the rear of the houses provide a spacious and green setting for the Conservation Area. The introduction of a one-and-half storey house at the rear of No.79, where the ground levels are higher than those at street level, would introduce a prominent element totally at odds with the existing pattern of development and bearing little relationship to the surroundings. Consequently the new house would appear out of place in this location and significantly detract from the setting of the Swaffham Bulbeck Conservation Area. In turn the proposal would also introduce an incongruous element into the setting of the nearby listed building, 85 High Street. As a result the proposal is in conflict with the objectives of *Policy EN5* of the *ECCS* which seeks to protect the setting of conservation areas and listed buildings.
7. It is accepted that the privacy of neighbours could be safeguarded by appropriate detailed design. However the likely proximity of the new one-and-half storey house to the northern site boundary would unreasonably dominate the immediate outlook from the rear gardens of properties to the north. I am also concerned that the comings and goings associated with the occupation of the new dwelling, particularly vehicular movements, may well cause undue noise and disturbance to those living at 79 High Street. This means that the scheme is contrary to the objectives of *Policy EN2* of the *ECCS* which endeavours to protect neighbours' living conditions.
8. These findings constitute compelling grounds for dismissing the appeal. None of the other matters raised, including development in the local area, the previous buildings on the site, or proposed landscaping, outweigh the considerations that have led to my decision.

*Christopher Anstey*

Inspector