
Appeal Decision

Site visit made on 19 December 2016

by Rachel Walmsley BSc MSc MRTPI

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

Decision date: 24 January 2017

Appeal Ref: APP/H0520/W/16/3158509

19 Beech Drive, St Ives, Cambridgeshire PE27 6UB

- 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 Adam Cade against the decision of Huntingdonshire District Council.
 - The application Ref 16/00447/FUL, dated 25 February 2016, was refused by notice dated 30 June 2016.
 - The development proposed is proposed dwelling, gardens and car parking and proposed alterations to No 19 Beech Drive, St Ives.
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Decision

1. The appeal is dismissed.

Procedural matters

2. In the evidence before me the Appellant suggested that an application for costs would be submitted, however, no such application was received and therefore was not before me for consideration.
3. An application for costs was received by a third party. Guidance within the Planning Practice Guidance (PPG) advises that for cases dealt with by written representations, it is not envisaged that awards of costs involving interested parties will arise. For this reason the third party was notified accordingly and the application not considered further.

Main Issues

4. These are:
 - (i) the effect of the proposal on the character and appearance of the area; and
 - (ii) the effect of the proposal on the living conditions of the occupants of No 19 and No 21 Beech Drive, with particular regard to outlook.

Reasons

Character and appearance

5. The appeal site leads onto a cul-de-sac, Beech Drive. The houses around the cul-de-sac and are low in height and are generously spaced; sizeable gaps
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- between pairs of semi-detached houses gives the cul-de-sac an open and spacious feel. No 19 Beech Drive is a semi-detached house and together with its adjoining neighbour provides a focal point to the cul-de-sac when seen in views along the street. The visual gaps either side of the houses, particularly at first floor level, contribute importantly to the open character of the area.
6. The pattern of development within the area is dominated by houses which front the street and have front and rear gardens which vary in size depending on the position of the house within its plot. An exception to this is four houses around the cul-de-sac, to include the appeal site, which are within larger plots and are shaped differently.
 7. The new dwelling would not be positioned within its plot to create a clearly defined front and rear garden, nor would the development benefit from the more generously spaced grounds which four of the existing houses around the cul-de-sac enjoy. Together with the awkward position of the dwelling in relation to its plot, the proposal would be in an incongruous form of development which would be out of keeping with the existing pattern of development. I recognise that the gardens to No's 9-13 Beech Drive are limited in size but the front and rear gardens are nevertheless clearly defined and therefore contribute to the prevalent form of development within the area.
 8. Although positioned away from the street, the dwelling would be visible from Beech Drive and would occupy an important visual gap which contributes to the area's open and spacious character. The dwelling, therefore, would appear incongruous and would have a discernible effect on the character and appearance of the area.
 9. I note that the Council raised no objection to the principle of a house within the location proposed and in the absence of any substantive evidence to suggest otherwise, I find no reason to take a different view. I also recognise the efforts made to design the building to complement the existing architectural styles. However, these benefits are not sufficient to overcome the harm found as a result of the position of the dwelling in relation to its plot and its surroundings.
 10. I find, therefore, that the development would be an incongruous form of development, out-of-keeping with and therefore harmful to the character and appearance of the area. The proposal would be contrary to policy H32 and H35 of the Local Plan (1995)¹ which seek to avoid such tandem development, particularly if the sub-division of large curtilages results in the dwelling and its curtilage being of a size and form unsympathetic to the locality. The dwelling would also conflict with policy HL5 of the Local Plan (2002)² which seeks to ensure that development respects the townscape of the area.

Living conditions

11. Following the demolition of an existing flat roof structure at No 19 Beech Drive, the new dwelling would be a sufficient distance from No 19 and not be within the direct line of sight of any windows to this property to restrict the outlook from the internal living spaces and therefore jeopardise the living conditions of its occupants.

¹ Huntingdonshire Local Plan, Part One, (adopted December 1995)

² Huntingdonshire Local Plan Alteration (adopted December 2002)

12. There are no windows within the side elevation of No 21 Beech Close that face the appeal site for the outlook from the internal living spaces of this property to be affected by the proposed development. Beyond the shared boundary with No 21 is a timber shed. Together with the majority of the garden to No 21 being to the rear of the existing house and some distance from the development proposed, the new dwelling would not have a discernible effect on the occupier's outlook when in the garden.
13. In all, I find that the development would not have a harmful effect on the living conditions of the occupants of No 19 and No 21 Beech Drive, with particular regard to outlook, and as a result would not be contrary to policy H31 of the Local Plan (1995) which seeks adequate standards of amenity.

Other considerations

14. The dwelling would contribute to local housing supply and in the short term would benefit local employment by way of creating jobs during construction. However the benefits would be limited given that the development is for one house and therefore they carry little weight when considered against the harm found.
15. The proposed development has evolved through pre-application discussions and various design stages and this considered approach is welcomed. I also note that the Council is reported to have given favourable consideration to the proposal, recommending it to Committee for approval. Whilst I appreciate the outcome of the application will have been a disappointment to the appellant, informal advice is given without prejudice and cannot pre-determine the outcome of a subsequent application, which must take account of all material factors. Furthermore, following a recommendation to Committee, Members can take a different view, provided the reasons for doing so are justified and take account of all material factors.

Conclusion

16. Although I have found that the development would not have a harmful effect on the living conditions of the occupants of No 19 and No 21 Beech Drive, the harm to the character and appearance of the area is decisive. The limited benefit one dwelling and the associated employment opportunities would bring would not outweigh or negate the harm found. For this reason the development would be contrary to the development plan and therefore the appeal is dismissed.

R Walmsley

INSPECTOR