
Appeal Decision

Site visit made on 5 July 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 24 July 2017

Appeal Ref: APP/H0520/W/17/3172844

Land adjacent 19 Mere View, Yaxley PE7 3HF

- 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 Plutus Homes Limited against the decision of Huntingdonshire District Council.
 - The application Ref 16/01506/FUL, dated 15 July 2016, was refused by notice dated 10 October 2016.
 - The development proposed is a new one bedroom dwelling on existing garage footprint.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area and b) highway safety with specific regard to the suitability of the proposed access.

Reasons

Character and Appearance

3. The appeal site is a parcel of land at the end of a terrace of three dwellings. It has a prominent, slightly elevated street corner location and currently comprises a base course of masonry and wire mesh fencing to its boundaries. Whilst the type of built form varies from detached through semidetached and terraced dwellings, two storey buildings dominate the street scene. There is a formal regularity to the set back from the road frontage and a somewhat standardised box like design with symmetrical gable roofs reflected in the buildings.
4. The proposed development would comprise, for all intents and purpose, a single storey building albeit it would have a bedroom and bathroom in the roof space. Whilst detached buildings do 'bookend' some streets in the wider area they tend to be two storeys. The proposed dwelling would be set further into its plot by a noticeable degree. These factors, as well as the use of an asymmetrical roof design, would jar visually with the presentation of the terrace of dwellings it would sit alongside.
5. I acknowledge that a planning permission is extant for the erection of a detached garage on the appeal site, of the same footprint that the proposed

dwelling would occupy. There would therefore some visual similarities between the two. However, the overall height would be increased due to accommodation in the roof. The resulting building's functional and thus character relationship with the remainder of the street scene would differ fundamentally owing to a separate independent access, curtilage and general appearance. The two are not therefore sufficiently comparable to justify the latter.

6. For the above reasons, the proposed dwelling would be harmful to the character and appearance of the area, harm that would in my view be exacerbated by its elevated prominent street corner location. This would result in clear conflict with saved Policies H32 and En25 of the Local Plan¹, saved Policy HL5 of the Local Plan Alterations², Policy CS1 of the Core Strategy³ and emerging Policies LP1 and LP13 of the Draft Local Plan⁴. These policies, amongst other things and along with section 7 of the Framework⁵, seek to ensure that new development is sustainable, it is of a high quality and contextually appropriate design, scale and appearance, is of a sympathetic form to the locality and it preserves local character and distinctiveness.

Highway Safety

7. Vehicular access for the proposed dwelling would be to its rear, onto Cherry Tree Walk. This would be a similar arrangement to the dwellings that form the adjacent terrace. The proposed plans show a 1.8 metre high fence forming the rear garden boundary which would also enclose the sides of the aforementioned vehicular access.
8. I agree with the Council that, whilst being similar to other arrangements, such a height of boundary treatment would impede visibility for drivers exiting the access and also limit the ability of passing pedestrians to see an emerging vehicle prior to it entering the highway.
9. Be this as it may, it seems that there is a way in which such an effect could be addressed. The most appropriate way of doing so, to my mind, would be the agreement of suitable boundary treatments adjacent to the access. This could secure a height or location of built boundary which would afford better visibility at the appropriate points. Taking into account the secondary and lightly trafficked nature of the road that the access connects to, I consider that this could be eminently achievable by a suitably worded planning condition, such that would make the development acceptable in planning terms, with regard to this main issue. I also consider that this would address the Council's concerns with respect to the use of a high sided timber fence to other boundaries of the site and its relative visual effect.
10. I am therefore satisfied that the proposed development, with regard to this main issue, would not be harmful to highway safety, such that it would comply with saved Policy T18 of the Local Plan, Policy CS1 of the Core Strategy and emerging Policy LP18 of the Draft Local Plan. These Policies, amongst other things, seek to ensure that new development is sustainable, it provides highways and accesses of an appropriate design and construction and that

¹ Huntingdonshire Local Plan Part One 1995

² Huntingdonshire Local Plan Alteration 2002

³ Huntingdonshire District Council Local Development Framework Core Strategy 2009

⁴ Huntingdonshire Local Plan to 2036: Draft Huntingdonshire Local Plan to 2036 Stage 3

⁵ The National Planning Policy Framework 2012

parking provision is adequate. It would also sit appropriately with the Framework which, in section 4, seeks to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Other Matters

11. I acknowledge that the appeal site is within a settlement that has a range of services that would no doubt be able to support a development of this scale. Given the harm that I have found however, this would not be sufficient to justify it.

Conclusion

12. There would be no harm arising out of the proposed development in respect of highway safety. Nonetheless, this does not lessen the harm that would be caused to the character and appearance of the area in the manner that I have described. With regard to all other matters raised therefore, it is for this reason that the appeal fails.

John Morrison

INSPECTOR