



Appeal Decision

Site visit made on 17 May 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2022

Appeal Ref: APP/H0520/W/21/3287361

48 Beauchamp Close, Eaton Socon PE19 8BU

- 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 & Mrs McAra against the decision of Huntingdonshire District Council.
 - The application Ref 21/0035FUL, dated 6 January 2021, was refused by notice dated 1 September 2021.
 - The development proposed is two new dwellings (semi-detached).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the proposed development from 'proposed new dwellings' to 'two new dwellings (semi-detached)'. The revised description has also been used on the appeal form. I consider that the revised description represents a more succinct description of the proposed development and have therefore proceeded on this basis.

Main Issues

3. The main issues relevant to this appeal are:
 - the effect of the development upon the living conditions of the occupiers of 47 Beauchamp Close and 47 Bushmead Road; and
 - the effect of the development upon the character and appearance of the surrounding area.

Reasons

Living conditions

4. The proposal seeks to develop additional dwellings within the garden of the appellant's dwelling at No. 48. The appeal site immediately adjoins 47 Beauchamp Close. The neighbouring property reflects the prevailing character in that the garden runs parallel to that within the appellants property. To the rear of the appeal site is 47 Bushmead Road, which has a different configuration.
5. By reason of the relatively short garden length within the proposed development, the rear elevation of the proposed dwellings would appear to be

very close to the shared boundary between the appeal site and the neighbouring property at 47 Beauchamp Close.

6. Given that the proposed development would be of two stories there would be a larger building located near to the neighbouring property. Furthermore, owing to the proposed development containing two houses, the proposal would have a notable length. In consequence, the proposed development would have a significant sized mass located near to the boundary between the two sites.
7. In result, the substantial increase in built form would lead to a significant enclosing effect upon the rear garden of the neighbouring property creating a significant loss of outlook for users of this space. This would result in an erosion of the living conditions of the neighbouring property.
8. This causes a concern given that the rear garden is the only area in which outdoors recreation might be undertaken within a private setting. In result, the loss of outlook would be particularly harmful to the living conditions of the neighbouring dwelling.
9. The garden of 47 Bushmead Road is configured differently to the appeal site and some other dwellings within the surrounding area. However, there is a relatively small section of garden between the dwelling at 47 Bushmead Road and the appeal site.
10. Therefore, owing to the proximity of the side elevation of the proposed development to this shared boundary, the proposed development would also result in a loss of outlook to the occupiers of the adjoining property to the rear of the appeal site. Whilst this effect would not be as great as the adverse effect upon 47 Beauchamp Close due to the differing garden arrangement, the adverse effect would still be apparent and would result in an erosion of the living conditions of the occupiers of the neighbouring property. Given that I have been directed towards planning policies that seek to maintain the living conditions of neighbouring properties, this adverse effect would be particularly significant.
11. These adverse effects would occur even though the appeal site is located within the urban area.
12. I therefore conclude that the proposed development would have an adverse effect upon the living conditions of the occupiers of neighbouring properties. The development, in this regard, would conflict with the requirements of LP14 of the Huntingdonshire Local Plan (2019) (the Local Plan). Amongst other matters, this seeks to ensure that buildings are not oppressive or overbearing.

Character and appearance

13. The appeal site consists of a relatively large garden to the rear of the appeal site. The appeal site's surroundings consist of dwellings constructed to differing designs. As part of this varied character, there are notable differences in terms of form, fenestration patterns and materials.
14. The proposed development would result in a reduction in the overall level of garden space at the property. This would result in an increase in built form and a reduction in the level of open space surrounding the appellant's dwelling.

15. However, the proposed development would be seen in the context of the surrounding area, which contains varying gaps between buildings and different sized gardens. Within this context the creation of additional dwellings would not appear unduly unusual.
16. The proposed development would result in a reduction in the overall level of grass in the area adjacent to the side boundary of the appeal site owing to the creation of additional car parking areas within the proposed development. However, such grassed areas occur on a regular basis within the surrounding area.
17. In addition, the grassed areas in the surrounding area are of irregular shapes. Therefore, the reduction in size of the grassed area near to the appeal site would not have an adverse effect upon the character and appearance of the surrounding area given that the revised size and shape of the grassed area would not result in significant change to the character and appearance of the surrounding area.
18. In reaching this view, I have had regard to the presence of driveways in the vicinity of the appeal site. This would mean that the construction of additional driveways would not appear particularly divergent from the prevailing character.
19. The proposed development would feature a fenestration pattern on the rear elevation with relatively few windows. Owing to the positioning of this elevation, views would be relatively limited from public areas. This reduces the overall level of prominence of this element of the proposed development.
20. In addition, from the neighbouring properties, it is possible to view dwellings constructed to many different designs. In result, many of the surrounding dwellings feature varying amounts of windows. Windows of contrasting sizes are, in consequence, readily apparent in the surrounding area.
21. Therefore, the erection of dwellings with a different fenestration pattern would not result in harm to the character of the vicinity given that it would be viewable alongside dwellings that also feature varied fenestration. Therefore, it would not be incongruous.
22. In addition, had I been minded to allow this appeal, I could have imposed a condition that would have required the dwellings to be constructed from appropriate materials. This would have further aided in ensuring that the proposed dwellings harmonise with their surroundings.
23. I therefore conclude that the proposed development would not have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would be in conformity with the requirements of Policies LP7, LP11 and LP12 of the Local Plan; and Policy A3 of the St Neots Neighbourhood Plan (2016). Amongst other matters, these seek to ensure that developments are appropriately located; respond positively to context; are well-designed based upon a thorough understanding of constraints and appraisal of the site's context; and reinforce local distinctiveness.

Other Matters

24. The evidence before me indicates that the proposed development would not have an adverse effect upon highway safety and protected species. Whilst

these are matters of note, they are only some of all the matters that must be considered. They therefore do not outweigh my previous findings.

25. I understand that no objections to the proposed development were received from the local town council. Whilst this is a matter of note, this does not overcome my conclusions in respect of the first main issue

Conclusion

26. The proposed development would have an adverse effect upon the living conditions of the occupiers of 47 Beauchamp Close and 47 Bushmead Road. This would outweigh the fact that the development would not have an adverse effect upon the character and appearance of the surrounding area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR