

Appeal Decision

Site visit made on 9 May 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023

Appeal Ref: APP/H0520/D/22/3307050

48 Common Lane, Hemingford Abbots, Huntingdon PE28 9AN

- 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 Alan Touhy against the decision of Huntingdonshire District Council.
 - The application Ref 21/02618/HHFUL, dated 12 November 2021, was refused by notice dated 13 September 2022.
 - The development proposed is the construction of a car port.
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Decision

1. The appeal is allowed and permission is granted for the construction of a car port at 48 Common Lane, Hemingford Abbots, Huntingdon PE28 9AN, in accordance with the terms of the application, Ref 21/02618/HHFUL, dated 12 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block and Location Plan 22147_01 Rev A; Site Plan 22147_02 Rev A; Floor Plans and Elevations 22147_09 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall comply with those shown on approved plan no. 22147_09 Rev B unless otherwise approved in writing in advance by the local planning authority.

Preliminary Matter

2. The application was originally for the construction of a car port and storage structure. However, during the course of the application the plans were amended to reduce the size of the proposal by removing the storage element. The description of the application has been revised accordingly.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Hemingfords Conservation Area (CA) and the setting of 44 Common Lane and the barn to its west, both Grade II listed buildings.

Reasons

4. The proposal, as amended, is for a two-bay car port in the south-east corner of the grounds of No 48 Common Lane, a recently extended L shaped property

towards the rear of its plot on the corner of Meadow Lane. The car port would be set back from the front boundary with its gable end towards the road, the two parking spaces accessed from the driveway which has already been constructed within the front garden.

5. This section of Common Lane, part of the Hemingfords CA, is characterised by large, individually designed detached houses set in substantial grounds, with tall frontage hedges lining the road. Some have their garages attached to the house, others are detached within the grounds, such as No 27 opposite. The proposal, amended to be set back from the frontage hedge, would have a shallow pitched, slightly hipped slate tile roof with a small dovecot on top and horizontal shiplap timber cladding above a buff/beige brick plinth. As such, being well designed and built of traditional materials, the car port would not appear out of place within the wider CA and would preserve its character and appearance, the relevant legislative test.
6. Hard up to the Common Lane frontage just to the east, beyond the driveway to No 46, lie No 44 and its attached barn, both Grade II listed buildings. No 44 is a 16th century timber framed and thatched roof cottage, of one storey with attics, linked by a single storey pantile roofed outbuilding to a timber framed barn of three bays, weatherboarded with a half hipped thatched roof. These are important heritage assets that make a strong contribution to the character and appearance of this part of the CA.
7. However, whilst glimpsed with the listed buildings when approached from either direction, the amended proposal would be set back from the frontage behind, once fully established, a tall hedge¹. The building would be low profile, only 2.3 m to the eaves, with a shallow pitched, half hipped roof, the ridgeline just under 4m high, not 4.7 m as stated in the officer report. Whilst it would be seen over the hedge to one side, the car port would not obstruct the view of the listed buildings or distract attention from them. Thus, contrary to the Council's view, the proposal would not adversely affect the setting of the listed buildings or detract from their significance and appreciation.
8. For these reasons the proposal would preserve the character and appearance of the Hemingfords CA and the setting of the listed buildings No 44 and the barn to its west. It would therefore comply with Policies LP34 and LP11 of the Huntingdonshire Local Plan 2019 which require proposals to conserve heritage assets and their settings and to respond positively to their context. It would also comply with the legislative duty to have special regard to the desirability of preserving or enhancing the character or appearance of a CA and the setting of listed buildings.
9. In addition to the standard implementation time limit conditions are necessary to define the approved plans in the interests of certainty and to control the materials to be used to ensure the satisfactory appearance of the development.
10. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

¹ Whilst only recently planted, the intention for a substantial hedge is clear from the tall entrance gates.