



Appeal Decision

Site visit made on 25 June 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2024

Appeal Ref: APP/V0510/D/24/3338954

9 Plantation Gate, Stretham, Cambridgeshire CB6 3JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tom Licence against the decision of East Cambridgeshire District Council.
 - The application Ref is 23/01049/FUL.
 - The development proposed is erection of a garden outbuilding/shed in the front garden of the property in place of an older existing shed.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has commenced and there was a timber frame present at the time of my site visit. I will deal with the appeal accordingly.
3. The Council, in its second reason for refusal, has identified a discrepancy with the scale provided on the elevation and floor plan drawings, which do not match the dimensions of the footprint shown on the block plan. It does appear that there is an error with the scale provided. Nevertheless, the timber framing on the site appeared in the general location of that shown on the block plan and I have therefore considered it on this basis.
4. Since the Council determined the planning application, the Government has published an updated version of the National Planning Policy Framework (the Framework). However, as the Framework's policy content insofar as it relates to the main issue has not been significantly changed, albeit that the numbering of paragraphs has changed, there is no requirement for me to seek further submissions on this latest version. I am satisfied no party would be prejudiced by determining the appeal accordingly.

Main Issues

5. The main issues are the effect of the development on the character and appearance of the host dwelling, the surrounding area and on trees and hedgerows.

Reasons

Character and appearance

6. The appeal property is a two storey semi-detached dwelling located on Plantation Gate. As you move east from the Brook Lane junction, dwellings on

the northern side of the road are situated in close proximity to the edge of the road. However, on reaching the appeal site, the appeal property and the adjacent two dwellings heading east are set back behind large front gardens providing a spacious and open character. A hedgerow runs along part of the frontage of the appeal site and along the boundary with the neighbouring attached dwelling. Trees are located in the front garden of the neighbouring garden to the east.

7. Whilst I noted the presence of sheds and outbuildings within the rear and side gardens of nearby properties, particularly those on corner plots or where they are orientated side on to the road, there is a general absence of outbuildings within the front garden areas of properties in the area. This contributes positively to a spacious and uncluttered character and appearance to the front of dwellings that are set back from the road.
8. The development would be subservient in relation to the scale and massing of the existing dwelling. Nonetheless, on completion, it would represent a relatively large outbuilding within the front garden, in close proximity to the front boundary, which is not characteristic of the surrounding area. It would erode the spacious character currently provided by the front garden areas in this part of Plantation Gate.
9. The appellant asserts that there was a shed positioned in the front garden area previously. However, I have no information on the size or exact siting of this previous outbuilding, nor the materials used in its construction, how long it was in place for or any relevant planning history.
10. I acknowledge that the front building line of the adjacent terrace of properties to the west is further forward than the siting of the shed and that the building line of the side elevation of the new development further east also sits further south. This does provide a more varied building line along the northern side of Plantation Gate in terms of the positioning of dwellings. However, this consideration does not outweigh that incidental outbuildings are not a prevailing feature within surrounding front garden areas.
11. I note the intention to use timber cladding and corrugated roofing to respond to the agricultural aesthetic of buildings found elsewhere in the settlement and I accept that the materials proposed would respond to the palette of materials in the wider area. They would also ensure that the shed would have the appearance of an incidental outbuilding. Nevertheless, this would not overcome the size of the building in combination with the siting of the development in an uncharacteristic location, to the front of the property.
12. The existing close boarded fence located along the western boundary would screen the development from views along the Public Right of Way (PRoW) that runs alongside the appeal site. However, whilst the hedgerow situated along the front and side boundaries and the neighbouring trees would screen the shed in part, it would still be visible across the driveway. It would also be more visible during the winter months when the vegetation would be less dense, or when the hedgerow is trimmed back in order to maintain it.
13. For the above reasons, I find that the development would be harmful to the character and appearance of the host dwelling and the surrounding area. It would be contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan April 2015 (as amended 2023) (LP). These policies state, amongst other

things, that proposals should create positive and complementary relationships with existing development and that development should enhance and complement local distinctiveness. For the same reasons, the proposal would be contrary to chapter 12 of the Framework which states, amongst other things, that developments should be sympathetic to local character.

14. The proposal would also be contrary to the Design Guide Supplementary Planning Document March 2012 which provides guidance in order to limit the effect of outbuildings within the curtilage of dwellings.

Hedgerow and trees

15. Whilst I have not been advised that the boundary hedgerow or adjacent trees are protected in any way formally, they do contribute positively to the character and appearance of the area. It is not suggested that they are to be removed by either party and the appellant contends that he has recently been appointed tree warden for the parish and has a good understanding of trees. However, the Council is concerned that the works already carried out may have harmed the root systems, potentially reducing their lifespan and health.
16. The appellant contends that there was a shed in place previously, albeit it had a smaller footprint and therefore the works already carried out to form the base of the shed were limited to extending a previous area of hardstanding and that no deep excavations were carried out. However, there is no information before me to show the extent or location of the previous base or where the extended area is in relation to the hedgerow and neighbouring trees.
17. I noted during my site visit that the hedgerow and adjacent trees were in full leaf and the foliage appeared lush and dense. However, I note that the visible effects of harmful works in this regard would not be immediately apparent given the length of time such deterioration can take.
18. Based on the evidence before me, there is insufficient information to demonstrate that the development has not had a harmful effect on the existing hedgerow and neighbouring trees. The development is therefore contrary to Policy EN7 of the LP which seeks, amongst other things, that developments minimise harm to or loss of environmental features such as trees and hedgerows. For the same reasons, the proposal would be contrary to the overarching aims and guidance set out in the East Cambridgeshire District Council Natural Environment – Supplementary Planning Document (SPD) Adopted 24 September 2020. It would also be contrary to the relevant paragraphs of the Framework.

Other Matters

19. To the west of the appeal site is 1, 3, 5 Plantation Gate, a terrace of properties that are a Grade II Listed Building. Accordingly, I have had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires me to have special regard to the desirability of preserving the setting of this building. The significance of the listed building lies in its historical merit and the traditional architectural features present.
20. Given the appeal site is set back from the frontage of the listed building and due to intervening built form, boundary treatments and the PRow there is a lack of visual intervisibility. I am therefore satisfied that the development

would preserve the setting and any features of special architectural or historic interests which the listed building possesses.

Conclusion

21. The proposal conflicts with the development plan as a whole, and there are no material considerations that indicate that I should take a decision other than in accordance with it. The appeal is therefore dismissed.

G Dring

INSPECTOR

