



Appeal Decision

Site visit made on 13 September 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 October 2024

Appeal Ref: APP/H0520/D/24/3341930

18 The Brambles, Limes Park Road, St Ives, Cambridgeshire PE27 5NJ

- 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 Mindaugas Dabasinskas against the decision of Huntingdonshire District Council.
 - The application Ref: 23/00435/HHFUL dated 10 March 2023 was refused by notice dated 12 January 2024.
 - The application is for erection of a solid garden block wall on concrete foundation (part retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal upon the character and appearance of the area, the effect of the proposal upon the living conditions of neighbours and the effect of the proposal upon trees adjacent to the site.

Procedural Matter

3. The description of development used in the heading above differs from that used on the Appellant's original application form. I consider that the description of development used by the Council however more accurately reflects the proposal before me and as such I have used this description accordingly.

Reasons

4. The appeal property is a modern end terrace property designed around a courtyard type of development whereby much car parking is located to parking courts to the rear. Adjacent to this property a pitched roof entrance canopy leads into such a parking court which is located alongside the appellant's rear garden area.
5. I saw on my site visit that a block wall had already been constructed around two sides of the Appellant's rear garden. This was of blockwork construction and contrasted sharply with the light buff brick that predominates in the area. I also saw a stand off from a row of mainly coniferous trees along the rear boundary.
6. The proposal before me seeks to complete the partially constructed wall around all three sides of the rear garden. The wall would extend to a height of around

- 2.1m depending on ground levels but appears slightly lower adjacent to the neighbouring property. The wall would be constructed on concrete footings with one or two courses of blockwork being below ground.
7. The main issues relate to the height and appearance of the wall and its subsequent effect upon the living conditions of neighbours and the effect upon trees to the rear. As such I have had regard to the Council's Policy criteria contained within Policies LP11, LP12 and LP13 which seek to ensure new development is well designed and minimises its impact upon local residents.
 8. Although there are boundary walls within the vicinity these appeared mostly to be clad in similar brick to that of the majority of houses. As such this material blends into the character of the area very well. I could see that a wall of this height therefore abutting the rear parking court could perhaps be successful were it to be clad in such materials.
 9. However, the materials proposed, and also the mitigation proposed within the Appellant's statement of timber cladding, do not represent the quality necessary to enable such a feature to integrate well into its context. Moreover, the height and dominance of the proposed wall adjacent to the adjoining neighbour would result in a dominance and obtrusive feature being constructed here that would cause harm to the living conditions of those living here.
 10. As such the proposal would cause harm through both its poor quality proposed materials and overall height that is excessive. This harm would lead the proposal into conflict with the above Policies.
 11. Coming to the effect of the proposal upon trees however, although one Field Maple tree may have had its roots affected, for the most part any effect has been mitigated and the trees and hedge are still in good order. I also find that there is a suitable distance available to mitigate any adverse effect upon the largely non native coniferous trees. These findings have been reflected in the Aboricultural report as submitted where any impact was deemed to have been largely not significant. As such I do not consider that such harm would occur to lead me to conclude that a dismissal of this appeal would be in order for this reason. As such policy LP31 would be satisfied.
 12. Notwithstanding this however, and although I consider that there would be ways to create a sensitive boundary wall that mitigated these impacts through better materials and lower height, the proposal as it is before me would bring this proposal into conflict with Policies LP11, LP12 and LP13 of the Huntingdonshire Local Plan and the aspirations for good design within the National Planning Policy Framework.

Conclusion

13. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR