
Appeal Decision

Site visit made on 23 June 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 AUGUST 2025

Appeal Ref: APP/V0510/W/25/3362066

19 St Ovins Green, Ely, Cambridgeshire CB6 3AN

- 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 Shirley Forsdick against the decision of East Cambridgeshire District Council.
 - The application Ref is 24/01141/FUL.
 - The development proposed is demolition of outbuilding and construction of new one-bedroom dwelling (self-build).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. This side of St Ovins Green (SOG) is regimented in form and design, and largely comprises semi-detached properties linked by flat roofed single storey side outbuildings that are set back from the main front aspects of the properties and are therefore subservient to their hosts. An exception is 19 SOG and the adjoining property at 17 SOG, which although being of a similar design, are physically separated from their neighbours. The larger gap this creates provides a visual break in the built form and aids in denoting 17 and 19 SOG as the terminating properties at the street junction, providing legibility in the neighbourhood and contributing positively to the formal character of the area.
4. Due to similar ridge and eaves heights to 19 SOG and continuation of the front elevation of the property, the proposed dwelling would create a row of terraced properties, which is uncharacteristic of the prevailing semi-detached built form in the immediate surroundings.
5. Furthermore, the appeal plot is significantly narrower than those either side and the proposed dwelling at 2-storeys in height would stretch across almost its entire width, resulting in a cramped and overdeveloped site when compared with neighbouring properties.
6. As a result of the restricted plot width, the proposed dwelling frontage would be narrower than that of 17 and 19 SOG. It would contain less window openings to the front and a front access passageway in lieu of a front door. This would create

an unbalanced appearance and would be out of character with the formal and consistent design of the attached properties and those along this side of SOG.

7. Despite the maintenance of a gap between the proposal and the adjacent property at 21 SOG, the space afforded would be minimal, significantly diminishing the effectiveness of the existing break in built form, which contributes positively to the street scene.
8. The appellant has drawn my attention to examples of developments on SOG, including the development of an attached new dwelling adjacent to 45 SOG that was granted permission at planning appeal¹. The set-back position and lower ridge and eaves heights of the new dwelling in this case render it subservient to the original dwelling and it therefore appears as a modest extension. For these reasons, the development at 45 SOG is not materially comparable to the current appeal proposal.
9. Similarly, the extension to 26 SOG is set back from and subservient to the main property and is therefore not comparable. In the case of 17 SOG, only demolition activity had taken place at the time of my visit and no substantiated evidence is before me to enable me to determine whether a comparison can be made with the current appeal proposal.
10. For the above reasons, the proposed development would be unacceptably harmful to the character and appearance of the host property and the surrounding area, contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (as amended in 2023). These policies, amongst other things, seek to ensure that development proposals create positive and complementary relationships with existing development and are designed to a high quality, enhancing and complementing local distinctiveness.

Other Matters

11. The Council's ecologist initially raised concerns regarding the lack of information provided to determine whether protected species would be affected by the proposed development, with particular reference to the potential for bat roosting habitats within the roof space of the attached outbuilding that would be demolished. However, following the ecologist's review of photographic evidence of the extension, they confirmed in writing that the extension would be unlikely to accommodate bats and further survey work would not be required. I am therefore content that the proposed development would be acceptable from a protected species perspective.
12. Paragraph 70 b) of the National Planning Policy Framework (the Framework) supports small sites for self-build and custom-build (SBCB) housing, which the proposed dwelling would be in this case. However, no legal mechanism is present, such as a Section 106 or Unilateral Undertaking (UU), to secure the SBCB housing status of the proposed dwelling, and a planning condition would fail to satisfy the tests in the Framework. In the absence of any reassurance, I can only attribute limited weight to this benefit.
13. The application form indicates that the proposed development is exempt from mandatory Biodiversity Net Gain requirements due to its SBCB housing status.

¹ PINS Ref APP/V0510/W/15/3141197.

However, as discussed above, there is no mechanism before me to secure such a status. If I had found the proposed development to be acceptable with regards to all other matters, I could have requested the submission of a Section 106 or UU to secure the SBCB housing. However, this is not the case in this instance as I have found unacceptable harm to the character and appearance of the host property and the surrounding area.

14. From third party representations it is understood that the proposed dwelling would provide accommodation for a family member to provide care for and allow the appellant to continue to live in their home, which they have resided in for some time. Whilst there are understandable benefits to such a living arrangement, planning permissions run with the land and there can be no certainty that the appellant would implement the scheme and the dwelling be occupied by a family member. Nor does this matter outweigh my concerns regarding the effect on the character and appearance of the host property and the surrounding area.

Conclusion

15. The proposal conflicts with the development plan taken as a whole, and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons above, I conclude that the appeal should be dismissed.

L Fern

INSPECTOR