
Appeal Decision

Site visit made on 7 September 2016

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 September 2016

Appeal Ref: APP/D0515/W/16/3152514

24 Addison Road, Wimblington, March, Cambridgeshire PE15 0QT

- 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 and Mrs A Carty against the decision of Fenland District Council.
 - The application Ref F/YR16/0023/F, dated 5 January 2016, was refused by notice dated 9 March 2016.
 - The development proposed is a 2-bedroom dwelling north of 24 Addison Road, Wimblington.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted an amended site layout plan. The plan shows a revised access arrangement for the proposed dwelling and the provision of a new separate access to the existing dwelling which would result in further changes to garden spaces. This was in response to the Council's concerns over the adequacy of the access and parking arrangements in the submitted scheme.
 3. The 'Procedural Guide – *Planning Appeals – England*' advises in Annex M2.1 that if an appeal is made the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested peoples' views were sought.
 4. For various reasons, an appropriate copy of the amended plan has only been made available with the appellant's final comments albeit what it seeks to achieve is referred to in their statement. However, the plan shows fundamental changes to the access and parking arrangements for both the existing and proposed dwellings which, when coupled with the subsequent changes to each garden, are to my mind significant changes. Notwithstanding the fact that the Council have made comment on it, to accept this plan for determination in this appeal would be prejudicial to other interested parties who would not be afforded the appropriate level of opportunity to comment. I have therefore determined the appeal against the same plans that the Council had before them.
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Main Issues

5. There are three main issues. These are the effect of the proposed development on a) highway safety b) the character and appearance of the area and c) the living conditions of the occupiers of both the proposed and existing dwellings with specific regard to the amount and location of private garden space.

Reasons

Highway Safety

6. The proposed development seeks to provide a shared vehicular access from March Road with two off street parking spaces per dwelling, within each curtilage.
7. The proposed access point would not be wide enough to allow two vehicles to pass which is a distinct possibility given that it would be shared by two dwellings. In addition it does not demonstrate how visibility splays for either pedestrians or vehicles could be achieved to the required standard. Furthermore, the short access driveway to the parking and turning area for the existing dwelling would be at right angles to the proposed access point. This would make a southbound turn out onto March Road potentially hazardous given that the turning circle of an exiting vehicle would likely cross the northbound carriageway.
8. For these reasons, I conclude that the proposed development would compromise the safe use of the highway and consequently would conflict with Policy LP16 of the Local Plan¹. This Policy and its justification set out, amongst other things, that development should achieve high standards of design suitability in the way a development functions. The proposed development would also fail to accord with the Framework² which states that, amongst other things, plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people.

Character and Appearance

9. The appeal site is part of a corner plot at the point where Addison Road and March Road meet as a four way junction with Blue Lane and Doddington Road. It is within a built up street scene of two storey terraced dwellings and a mix of single and two storey detached dwellings. The existing dwelling is a bungalow which is sited at an angle relative to Number 22 Addison Road. In the wider area, dwellings are set back from the road frontage with a mix of boundary treatments.
10. Whilst I accept that the four way junction does have a discernible open character, the appeal site is read more as a narrow gap between existing built development and consequently does not contribute significantly to it. As such and when considered in the context of the scale of the development proposed, I do not find that harm to the established open character would arise.
11. The proposed dwelling would be set back from the frontage of the plot and would follow the general building line that has become established to both March Road and Addison Road. Whilst the corner location of the appeal site

¹ Fenland District Council: Fenland Local Plan 2014

² The National Planning Policy Framework 2012

would mean the proposed development would be visually prominent, it would be acceptable in design, size and appearance terms when read in the aforementioned built up context.

12. The proposed development would therefore, and with regard to this particular issue, accord with Policies LP12 and LP16 of the Local Plan. These Policies, along with section 7 of the Framework, seek to ensure that, amongst other things, new development is of a contextually appropriate design and appearance and respects local character and distinctiveness.

Living Conditions

13. The siting of the proposed development would lead to a truncation of the overall garden space afforded to the existing dwelling. In addition to this, an area of private garden space would be provided to the rear of the proposed dwelling.
14. Whilst I accept that the proposed development would result in a contextually small area of garden space to the rear of the proposed dwelling, given the modest two bedroom size of the dwelling itself it would not be unreasonable. Particularly given the clear flexibility in the 'guide' for private garden sizes as set out by Policy LP16 of the Local Plan.
15. I note that the larger areas of garden space would be to the front, side and thus more public elevations of the existing dwelling. There would be a small triangular area of land to the rear which would be more private and I accept this is small. However, and in both cases, this is no different to the existing situation and there is no explicit mention in the relevant policy as to where garden space should be. With this in mind, and through the use of appropriate boundary treatments, I do not consider that the provision of private garden space for the existing dwelling would be unacceptable.
16. The proposed development would not therefore harm the living conditions of the occupiers of either the proposed or existing dwelling. Consequently I do not find any conflict with Policies LP2 or LP16 of the Local Plan with regard to this particular issue. These Policies seek to ensure that, amongst other things and alongside one of the core principles of the Framework, new development does not cause harm to and promotes a high level of amenity for existing or future occupiers of land or buildings.

Other Matters

17. I note that the proposed development is a resubmission of a previously refused scheme and I have been provided with copies of previously refused plans. However, I have found harm having considered the merits of the proposed development before me, specifically in respect of highway safety.

Conclusion

18. The lack of harm that would be caused to either the character and appearance of the area or the living conditions of existing and future occupiers is not sufficient to outweigh the harm that would be caused to highway safety. For this reason, and having regard to all other matters raised therefore, the appeal is dismissed.

John Morrison

INSPECTOR