

## Appeal Decisions

Site visit made on 11 January 2017

**by L Fleming BSc (Hons) MRTPI**

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

**Decision date: 26 January 2017**

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### **Appeal Ref: APP/W0530/W/16/3157640**

#### **The Meadow, Streetly End, West Wickham, Cambridgeshire CB21 4RP**

- 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 William Stone against the decision of South Cambridgeshire District Council.
  - The application Ref S/2108/15/FL, dated 13 August 2015, was refused by notice dated 3 March 2016.
  - The development proposed is change of use of stables to a single dwelling, small connecting link, reopening of access.
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### **Appeal Ref: APP/W0530/W/16/3157662**

#### **The Meadow, Streetly End, West Wickham, Cambridgeshire CB21 4RP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr William Stone against the decision of South Cambridgeshire District Council.
  - The application Ref S/1355/16/OL, dated 20 May 2016, was refused by notice dated 28 July 2016.
  - The development proposed is erection of a dwelling following demolition of existing stable along with re-opening of an existing vehicular access.
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## **Decision**

### **Appeal A: APP/W0530/W/16/3157640**

1. The appeal is allowed and planning permission is granted for change of use of stables to a single dwelling, small connecting link, reopening of access at The Meadow, Streetly End, West Wickham, Cambridgeshire CB21 4RP in accordance with the terms of the application, Ref S/2108/15/FL, dated 13 August 2015, subject to the following conditions:
    - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
    - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan Drawing No KCC2046/01 08/15lm, Block Plans Drawing No KCC2046/04a 09/15lm, Existing Layout Drawing No KCC2046/02 08/15lm, Existing Elevations Drawing No KCC2046/03 08/15lm, Ground Floor Layout Drawing No 10775/P/01 and Proposed Elevations Drawing No 10775/P/02.
    - 3) No works shall begin on constructing the walls of the dwelling hereby permitted until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to
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and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 4) During the period of demolition and construction, no power operated machinery shall be operated on the site and no construction related deliveries taken or despatched from the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the local planning authority.
- 5) The existing hedge on the front (south east) boundary shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along the highway boundary.
- 7) The proposed driveway shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the adopted public highway. The use of permeable paving does not provide sufficient long term surety of drainage and as such the Highway Authority will require positive measures to prevent private water entering the adopted public highway.
- 8) The internal track shown on the approved drawing number KCC2046/01 08/15lm leading between the proposed access and the existing internal link shall be removed permanently to separate the re-opened residential access.
- 9) The proposed driveway shall be constructed using a bound material for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

**Appeal B: APP/W0530/W/16/3157662**

2. The appeal is allowed and planning permission is granted for erection of a dwelling following demolition of existing stable along with re-opening of an existing vehicular access at The Meadow, Streetly End, West Wickham, Cambridgeshire CB21 4RP in accordance with the terms of the application, Ref S/1355/16/OL, dated 20 May 2016, subject to the following conditions:
  - 1) Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
  - 2) Application for the approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
  - 3) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

## **Procedural Matters**

3. As set out above there are two appeals on this site. Appeal A is an application for full planning permission to convert the existing stable buildings to a dwelling. Appeal B is an outline application with all matters reserved apart from the access. I have dealt with Appeal B on that basis treating the plans as illustrative except where they relate to the access.
4. Whilst I have considered each proposal on its own merits, in order to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

## **Main Issues**

5. In relation to both Appeal A and B, the Council object on the grounds that the proposed development would be in a location which lacks appropriate access to day to day services without dependence on travel by a private vehicle. With regard to Appeal A only the Council also objects on grounds that the proposals would result in the loss of buildings which provide employment or have the potential to do such. However, subject to finding this to be the case the demolition of the existing building would have the same effect.
6. Thus, the main issue for both Appeal A and B is whether the proposed development would amount to sustainable development having regard to the development plan and national policies including the effect on the local economy.

## **Reasons**

### *Sustainable development*

7. The appeal site comprises timber stables and a feed room set in a relatively small plot bound by hedging with an access from Streetly End. The pavement passes by the appeal site connecting it to the village. To the north east, south east and south west are dwellings and there are agricultural buildings to the north.
8. The south western boundary of the appeal site directly adjoins the village framework of West Wickham. Policy ST/7 of the South Cambridgeshire District Council Local Development Framework Core Strategy Development Plan Document (2007) (CS) identifies West Wickham as an Infill-Only Village. In such villages residential development within the defined village framework will be restricted to not more than two dwellings comprising, among other things, infill or the conversion or redevelopment of a non-residential building where this would not result in a loss of local employment.
9. Both parties agree that the Council is currently unable to demonstrate a 5 year supply of deliverable housing land. Therefore in accordance with paragraph 49 of the National Planning Policy Framework (the Framework), insofar as relevant policies seek to restrict the supply of housing they should be considered out of date.
10. However, it seems to me that the overall aim of Policy ST/7 is to confine development to within the main built up part of the village and avoid countryside encroachment. Furthermore, rather than being restrictive of

housing development, it is supportive of small scale housing in Infill Only Villages subject to specific criteria being met.

11. Even though the appeal site is outside of the village framework it directly adjoins it and is surrounded by buildings on all sides. In this case the conversion of the existing stable building to a single dwelling or their demolition and replacement with a dwelling as proposed in both Appeal A and B would result in a new dwelling which would be well related to and within the main built up part of the village.
12. The evidence before me demonstrates that the existing building would be capable of being converted. Whilst the wider equine enterprise may provide employment, I am told the nature of this enterprise has changed including relocating elements of it elsewhere, such that the stables are no longer required. Thus, with the absence of any substantive evidence to the contrary, I am led to the conclusion that as relatively modest stable buildings in a relatively small plot they currently do not generate any employment and through their small scale are unlikely to be able to generate any significant employment opportunities for the village.
13. I acknowledge that the occupants of the dwelling proposed would be likely to be dependent on the use of a private car to access day to day services and employment. However, given the relatively modest number of journeys generated by a single dwelling and that the proposal would be in accordance with the thresholds set out in Policy ST/7 of the LP and thus the overall development strategy for the district, I find no significant harm in this regard. Furthermore, both developments would have the benefit of providing a new home together with economic benefits associated with construction. Moreover both of the development proposals would help to maintain the vitality of the rural community.
14. Therefore, on balance and overall I find the development proposed in either Appeal A or B would amount to sustainable development having regard to the development plan and national policies including the effect on the local economy.
15. Thus, appeal proposals A and B would accord with the development plan, specifically the aims of Policy ST/7 of the CS and Policies DP1 and HG/8 of the South Cambridgeshire District Council Local Development Framework: Development Control Policies Development Plan Document (2007) which taken together aim to ensure a sustainable pattern of development in the district.

### **Conditions**

16. The conditions imposed are those which have been suggested by the Council but with some variation in the interests of clarity and precision having regard to the advice on imposing conditions in the Planning Practice Guidance (PPG).
17. In addition to the standard timescale conditions imposed on both Appeal A and B, with regard to Appeal A, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed conditions which require materials to be agreed and the existing hedge to the frontage to be retained in the interests of safeguarding the character and appearance of the area. However, I have amended the materials condition suggested to allow

preparatory work to proceed before such matters are agreed to ensure efficient construction in line with the PPG.

18. Furthermore, with regard to Appeal A conditions are also necessary to ensure a safe access and appropriate drainage within the site. Moreover, in the interests of safeguarding the living conditions of residents living nearby, a condition is necessary to ensure noisy construction works and deliveries only take place within reasonable hours.

### **Conclusion**

19. For the reasons given above and with regard to all other matters, I conclude that both Appeal A and Appeal B should be allowed.

*L Fleming*

INSPECTOR