

Appeal Decision

Site visit made on 31 January 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 07 February 2017

Appeal Ref: APP/D0515/W/16/3161528

45 & 45A Bassenhally Road, Whittlesey PE7 1RW

- 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 AJB Holdings (Peterborough) Ltd against the decision of Fenland District Council.
 - The application Ref F/YR16/0375/F, dated 26 April 2016, was refused by notice dated 16 September 2016.
 - The development proposed is Erection of 2 x 3-bed and 2 x 2-bed single-storey dwellings with associated access road and garages (including garage to serve existing dwelling); alterations to 45 Bassenhally Road including demolition of carport and 2-storey side extension and total demolition of 45A Bassenhally Road and outbuildings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposal makes appropriate provision for the storage of refuse and recycling facilities and the effect of such on the living conditions of nearby residents.

Reasons

Character and appearance

3. The dwellings on Bassenhally Road are of a variety of styles mainly facing and set a similar distance back from the road. Although interspersed with side roads leading to dwellings behind the dwellings fronting the road the prevailing character of the area in the immediate vicinity of the appeal site is dwellings facing the road set in reasonably sized plots with space between the buildings. This gives the area a varied but relatively spacious character and appearance.
4. I have had regard to the other examples of development permitted in the area in the last four years¹. I have also considered the other examples that have been built for some time. However, whilst the full details of those examples are not before me, I note that some of them are some distance from the

¹ Council references F/YR16/0513/O, F/YR16/0124/F, F/YR16/0416/F, F/YR15/0908/F & F/YR12/0009/F

appeal site and the majority do not appear to be for the same number of dwellings or for dwellings in the same arrangement as the appeal proposal. In any event the presence of development or existence of a planning permission does not justify a development as each case should be considered on its merits with regard to bespoke site specific circumstances.

5. The proposal would effectively create two rows of development behind Nos 45 and 43 Bassenhally Road. The dwelling proposed on Plot 2 would be positioned leaving only a small amount of space between the neighbouring property to the west. Plots 3 and 4 would also have shallow rear gardens leaving limited space between the proposed dwellings and the plot boundaries.
6. Overall I find the proposed development would comprise four relatively large bungalows and garages squeezed into proportionally small plots. In my view, it would thus appear noticeably cramped within its setting and would erode the relatively spacious character of the area. Furthermore, comprising two rows of development behind the dwellings fronting the road it would be out of keeping with the prevailing layout of development in the surrounding area.
7. For these reasons, I find the proposed development would be harmful to the character and appearance of the area. Thus, the proposal conflicts with Policy LP16 of the Fenland Local Plan (2014) (LP) which aims to ensure good design.

Refuse and recycling facilities

8. The Council's Waste Management Design Guide Supplementary Planning Document (2012) (SPD) requires that residents should not need to pull their bins more than 30 metres to a collection point.
9. The appeal proposal shows a bin collection area close to Bassenhally Road and the side elevation of No 43 Bassenhally Road (No 43) in excess of 30 metres away from the proposed dwellings.
10. However, it seems to me that there would be sufficient space available within the appeal site to provide a bin collection area closer to the proposed dwellings and a sufficient distance away from No 43 for there to be no harm to the living conditions of the occupants of No 43. In my view, this matter could be dealt with through an appropriate planning condition. However, as I am dismissing the appeal for other reasons I have not considered this matter any further.
11. Thus, I therefore conclude that subject to the imposition of a planning condition which requires bin storage and collections areas to be agreed, in this regard the proposed development would comply with the aims of Policies LP2 and LP16 of the LP and the SPD which seek to ensure new development makes appropriate provision for refuse and recycling facilities and does not harm the amenities of nearby residents.

Other Matters

12. I acknowledge that the planning committee determined the planning application contrary to an officer's recommendation. I have also considered the benefits of the scheme particularly the provision of new homes, the removal of the existing extension to No 45 Bassenhally Road and the economic benefits associated with construction. However, these matters do not outweigh the harm I have identified.

Conclusion

13. For the reasons set out above, whilst I have found no harm in terms of storage of refuse and recycling facilities and living conditions, I have found harm to the character and appearance of the area and thus on balance the proposal is in conflict with the development plan and with regard to all other matters raised I therefore conclude that the appeal should be dismissed.

L Fleming

INSPECTOR