
Appeal Decision

Site visit made on 7 February 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 20th February 2017

Appeal Ref: APP/W0530/W/16/3162459

43 London Road, Stapleford, Cambridgeshire CB22 5DE

- 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 Mrs Natalie Benson against the decision of South Cambridgeshire District Council.
 - The application Ref S/1754/16/FUL, dated 30 March 2016, was refused by notice dated 22 August 2016.
 - The development proposed is new dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Natalie Benson against South Cambridgeshire District Council. This application is the subject of a separate Decision.

Procedural Matter

3. A revised plan has been submitted in the appellant's statement which shows amendments to drawing 0079_300_rev P3 in terms of the proposed vehicular access points¹. Although I have been provided with an email from the relevant highway authority which no longer objects to the proposal and although the revised plan is intended to deal with part of the reasons for refusal it would, in my view, materially alter the proposal. Given the substance of the Council's concerns, the objections from the Parish Council and a third party, the plan would therefore need to be the subject of further consultation, but as this has not taken place I have dealt with the appeal on the basis of the original plan.
4. In reaching this view I am also mindful that the 'Procedural Guide – Planning Appeals – England' advises that if an appeal is made the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought².

Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the area and the effect on highway safety.

¹ Revised drawing 0078_370_RevP1

² Annexe M.2.1

Reasons

Character and appearance

6. The appeal site is formed by part of the side garden and parking area of No. 43 London Road, a two storey residential property within a predominantly residential area, albeit that there are some commercial uses adjacent to the site on the corner of Dolphin Way and London Road. The prevailing residential character is one of a variety of two storey detached and semi-detached dwellings with varied spacing in between and set back from the highway behind landscaped front gardens and parking areas.
7. The appeal site lies in a very prominent and exposed position on the corner of London Road and Dolphin Way. The existing building line is formed by the front elevation of the appeal property and the part of the garden where the proposal would be sited creates a sense of spaciousness and openness around this corner that positively contributes to the character and appearance of the area.
8. Despite the use of sympathetic materials and the set back from No. 1 Dolphin Way, the proposal would extend beyond the building line with No. 43. When combined with its scale, form and height, in such close proximity to the side boundary with the highway, it would result in the introduction of an overly prominent building that would appear cramped on the site and unduly dominant in the streetscene. Furthermore, it would substantially diminish the perception of spaciousness and openness of the appeal site and accordingly, its contribution to the character and appearance of the area.
9. These effects would be further exacerbated by the mansard roof form, which would be an unsympathetic and alien addition to the prevailing pitched roof and gable end roofscape within the immediate area. It would also result in an overly vertical emphasis to the dwelling and overall, would be at odds with the character and appearance of the area. In its context, the proposal would not represent a high quality of design.
10. For these reasons, the proposal would cause significant harm to the character and appearance of the area. It would conflict with Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 ('DPD') which requires all new development to be of a high quality design that preserves or enhances the character of the local area and respects local distinctiveness.

Highway safety

11. The proposal would result in the creation of a new access point using an existing vehicle crossover to the front of No. 43, in combination with the widening of the crossover that serves the existing parking area. On the evidence before me, I share the Council's concerns that the proposal does not satisfactorily demonstrate that the driveways for both the proposal and No. 43 would enable vehicles to turn on the site and leave in a forward gear.
12. For these reasons and on the evidence before me, I cannot be satisfied that the proposal would not result in vehicles reversing onto the highway, which, on this busy and well trafficked road and in such proximity to the junction with Dolphin Way, could cause harm to highway safety. The proposal would therefore conflict with Policy DP/3 of the DPD which requires all new development to

provide appropriate access from the highway network that does not compromise road safety.

Conclusion

13. For the reasons set out above the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that the proposal should be determined other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR