
Appeal Decision

Site visit made on 27 June 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 13th July 2017

Appeal Ref: APP/V0510/W/17/3170683

Rear of 12 The Wyches, Little Thetford, Ely, Cambridgeshire CB6 3HG

- 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 Richard Thompson against the decision of East Cambridgeshire District Council.
 - The application Ref 16/01018/FUL, dated 3 August 2016, was refused by notice dated 28 September 2016.
 - The development proposed is a two bed detached bungalow (following demolition of outbuilding).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site forms part of the rear garden of a semi-detached property which has been separated from the main garden with the introduction of a fence of some 2m in height and is currently used for the growing of vegetables and the keeping of chickens. The site is bounded to the side and rear by mature hedging, although properties at New Close Road to the rear are visible over the hedging. The site is accessed via a track set between No. 12 and 14 which meets a single storey garage, which would be demolished to allow vehicular access to the site and proposed dwelling.
 4. The Wyches itself is an established residential area comprising mainly detached and semi-detached dwellings that are a variety of designs. The area has a suburban quality that is reinforced by the spaciousness about and between the dwellings. There is a degree of uniformity created by the linear pattern of development along The Wyches. On the whole, the gardens to the rear of dwellings are undeveloped which gives the area an open character.
 5. The siting of the proposed dwelling would be at odds with the area's established character, in particular the long plots that characterise the area. While the dwelling would be sited to the rear of the host property, given the width of the access, it would be visible from The Wyches as one passes the site. The presence of a dwelling to the rear of frontage dwellings would be detrimental to the generally undeveloped nature of rear gardens in the site's vicinity resulting in material harm to the character and appearance of the area.
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6. I therefore conclude that the proposed dwelling would result in material harm to the established character and appearance of the area. The proposal is therefore contrary to Policy ENV2, GROWTH2 and GROWTH5 of the East Cambridgeshire Local Plan 2015 (the Local Plan) which seek, amongst other things, to ensure that development proposals do not adversely impact on the character and appearance of the area.

Other Matters

7. The appellant has made reference to several planning applications whereby the Council have allowed similar development in the District. I do not have the particular details of each of these developments so cannot make a comparison to the development before me. However, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.
8. I also acknowledge that the site contains a building and the existing access would be utilised. I also note that no concerns are raised regarding the potential impact on the living conditions of adjoining occupiers as a result of the proposed development. However, one would expect to see a garage at the end of a drive and to the rear of a dwelling which is quite different to the development before me and does not alter my findings on the main issue.
9. The appellant also makes reference to the development's compliance with Policies COM7 and COM8 of the Local Plan. These Policies relate to transport impact and parking provision and while the development would be in compliance with them, again they do not alter my findings on the main issue.

Planning Balance

10. The Council cannot demonstrate a 5 year supply of housing land. Paragraph 49 of the National Planning Policy Framework (the Framework) tells us that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. Paragraph 14 of the Framework makes it clear that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework taken as a whole.
11. I have found that the proposed development would have a harmful impact on the character and appearance of the area. Against this I recognise that the proposal would contribute to the overall provision of dwellings in the district, and would therefore have a small beneficial effect in terms of the social and economic strands of sustainability. However, on balance the adverse effects I have identified above significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, the proposal would not amount to sustainable development in the terms of the Framework.

Conclusion

12. For the reasons given above, and having regard to the development plan when read as a whole, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR