
Appeal Decision

Site visit made on 31 October 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 4th December 2017

Appeal Ref: APP/W0530/W/17/3180529

Site at the rear of 89 Whitwell Way, Coton, Cambridge CB23 7PW

- 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 John and Mrs Wendy Sadler against the decision of South Cambridgeshire District Council.
 - The application Ref S/0801/17/FL, dated 6 March 2017, was refused by notice dated 3 May 2017.
 - The development proposed is the erection of a bungalow and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the character and appearance of the area;
 - The effect of the proposal on the living conditions of adjoining occupiers and whether the living conditions for future occupiers of the development would be satisfactory; and
 - Whether the proposed development includes satisfactory provision for foul and surface water drainage from the site.

Reasons

Inappropriate Development

3. The site falls within the Green Belt, however the access is outside of this designation. The National Planning Policy Framework (the Framework) establishes that, within Green Belts, the construction of new buildings is inappropriate, subject to a number of exceptions. These exceptions include limited infilling in villages. The Framework does not define the terms 'limited' and 'infilling'. The South Cambridgeshire District Council Local Development Framework: Core Strategy (2007) identifies Coton as a Group Village where residential development up to an indicative maximum scheme size of 8 dwellings will be permitted within the village framework (Policy ST/6), subject to compliance with other relevant policies.

4. The proposed development would be located within the village and would represent infilling in my view, given the site's location within an area of existing dwellings. The proposed development of one dwelling would be clearly limited in scale and as such, the development would be not inappropriate for the purposes of the Framework. It would also be acceptable in terms of the aims for the Green Belt in Policy ST/1 of the Local Development Framework – Core Strategy As the proposed development is not inappropriate, it is not necessary to consider the question of very special circumstances in accordance with Paragraph 87 of the Framework.

Character and Appearance

5. The appeal site is located between existing residential developments, which consist of the Pendrick Close estate and larger dwellings accessed from Whitwell Way. The site is very long and narrow in nature and the proposal would introduce one bungalow and garage into the site with access via the existing track off Whitwell Way. However, although the plot width is comparable to the adjoining pair of semi-detached dwellings on Pendrick Close, due to the location of the proposed access it fails to align as part of the Pendrick Close development. Furthermore, the Pendrick Close estate is clearly defined by the side boundary of No 13 and the rear gardens of the bungalows, Nos 14 – 19, and the appeal site is clearly distinct from this development.
6. In addition, due to the site's location and the orientation of the proposed dwelling it would also not reflect the existing character of the dwellings on Whitwell Way. The adjoining dwellings accessed off Whitwell Way are large, two-storey dwellings on reasonably large plots, which are orientated to face Whitwell Way. In contrast to this, the proposal would introduce a much smaller dwelling, set sideways in relation to the dwellings to the north and on a significantly narrower plot. The proposed dwelling would therefore appear disconnected from all of the surrounding development and would appear as an incongruous addition to the area as a result.
7. For the above reasons I conclude that the development would harm the character and appearance of the area. Consequently, it would fail to comply with Policy DP/2 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD (2007), which seeks to ensure that new development preserves or enhances the character of the local area and is compatible with its location.

Living Conditions

8. The site is relatively narrow, which would result in the proposed bungalow being sited close to the side boundaries of the site. Whilst this would result in a number of windows facing onto the boundary fencing, this is not uncommon within built up residential areas. Furthermore, there are windows located in the rear elevation as well as to the patio area between the garage and dwelling, and as such, the living conditions of the future occupiers of the property would not be affected as a result of the limited outlook of some of the windows. Ample garden area would also be provided to the front and rear of the dwelling.
9. The proposed dwelling would be sited forward of No 13 Pendrick Close. Because of the positioning of No 13 to the south east of the proposed dwelling the development would not result in undue overshadowing or loss of sunlight to

this existing property. No 13 has one small window in the first floor side elevation, which would face the proposed development, however this does not appear to serve a principle room and therefore would not result in harmful impacts in terms of overlooking to the future occupants of the proposed development, or in terms of a loss of outlook from the existing dwelling.

10. The proposal would also have a lesser effect on the adjoining dwelling in terms of both outlook and overshadowing due to its overall height, despite the sloping land levels, and the distance from the main ridge of the proposed dwelling to the side of No 13. Although the proposed separation between the proposed and existing dwelling at No 13 is less than the minimum 12 metres recommended in the South Cambridgeshire District Council District Design Guide SPD (2010), I consider that the existing boundary treatments, the positioning of the dwelling and the fact that the proposal is for a bungalow, together mean that the development would not result in harmful impacts on the living conditions of the adjoining occupiers.
11. There has been local objection to the location of the access adjacent to the existing properties, with a concern that this could result in noise and disturbance. The access is currently rarely used and the proposed development would result in an increase in vehicular traffic using this access. However, the level of vehicular movements, whilst representing an intensification of use, would not be excessive from a single dwelling and would not give rise to undue harm to the living conditions of the adjoining residents.
12. For the above reasons the proposal would comply with the provisions of Policies DP/2 and DP/3 of the Development Control Policies DPD, insofar as they relate to development not resulting in unacceptable adverse impacts on the living conditions of future and existing occupiers.

Drainage

13. The development would use a septic tank which would be sited to the rear of the proposed dwelling. Although the appellant advises that the location of the septic tank could be changed, I have not been presented with any revised plans to indicate this. As such I have considered the appeal on the basis of the information before me. In my judgement, the location of the septic tank would restrict access for emptying and maintenance. Policy NE/10 of the Development Control Policies DPD requires drainage to a public sewer to be provided wherever possible and that a septic tank will only be acceptable where neither public sewer or package treatment plants are feasible. No details of why a septic tank is required or evidence as to why other means of foul water drainage would not be suitable have been provided and as such the proposal would fail to comply with the policy requirements in this regard.
14. Furthermore, no evidence has been submitted to demonstrate that the soakaways would be suitable or efficient for the disposal of surface water. The sloping nature of the site may result in issues for drainage on the site and in the absence of evidence to demonstrate that the proposed systems would be efficient and capable of managing the surface water flows, given the increase in areas of hardstanding, I am unable to determine if this would be an acceptable means of surface water drainage.
15. For the above reasons, it has not been demonstrated that a satisfactory method of foul and surface water disposal could be achieved and therefore the

proposal would fail to comply with the provisions of policies DP/1, DP/3 and NE/10 of the Development Control Policies DPD. These policies require adequate arrangements for the disposal of foul and surface water.

Other Considerations

16. The appellant has identified that the proposed development would give rise to a benefit, namely the provision of a family home within the village. Although this would be of some benefit to the village, it would be somewhat limited from a single dwelling.

Conclusion

17. I have concluded that the proposal would not be inappropriate development and would therefore not be harmful in terms of the effect on the Green Belt. Nevertheless, the proposal would result in harm to the character and appearance of the area and the drainage provisions are not satisfactory, for the reasons I have given. The benefits that a dwelling would provide as identified above would not outweigh this harm.
18. For the reasons given above I conclude that the appeal should be dismissed. The appellants have sought guidance regarding any alternative, acceptable form of development in the event of the appeal failing, but my role is limited to determining the appeal before me.

R Norman

INSPECTOR