
Appeal Decision

Site visit made on 22 August 2019

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH

an Inspector appointed by the Secretary of State

Decision date: 26th September 2019

Appeal Ref: APP/V0510/W/19/3231285

Land adjacent 5 Holmes Lane, Soham, Ely, Cambs CB7 5JP

- 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 G Blinston against the decision of East Cambridgeshire District Council.
 - The application Ref 18/01505/FUL, dated 25 October 2018, was refused by notice dated 10 January 2019.
 - The development proposed is new dwelling following demolition of existing garage/store.
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Decision

1. The appeal is allowed and planning permission is granted for new dwelling following demolition of existing garage/store at Land adjacent 5 Holmes Lane, Soham, Ely, Cambs CB7 5JP in accordance with the terms of the application, Ref 18/01505/FUL, dated 25 October 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01/2062/18; 02/2062/18; 03/2062/18; 04/2062/18; 05/2062/18.
 - 3) The building shall not be occupied until a means of access and turning area for vehicles shall have been constructed in accordance with the approved plans. The access and turning area shall be retained thereafter.

Procedural Matter

2. On 21 February 2019 the Council withdrew its emerging Local Plan and consequently the emerging policies now have no status. The East Cambridgeshire Local Plan 2015 (LP) remains the adopted Local Plan for the district.

Main Issues

3. The main issues in this appeal are the effects of the development on:
 - the character and appearance of the area; and
 - the living conditions of occupiers of the host dwelling and future occupiers of the new dwelling, as regards amenity space.

Reasons

Character and appearance

4. The appeal proposal would replace a long outbuilding of plain and utilitarian appearance and replace it with a modest chalet-style dwelling of pleasant design, externally decorated to respond to surrounding properties. This would be a benefit to the character and appearance of the area.
5. The existing corner plot does not contribute significantly to the openness of the junction due to high boundary fencing and vegetation which largely screens views into the interior. The appeal proposal would open up the site through replacement of boundary fencing with soft landscaping, which would complement the existing grass verge and enhance a sense of spaciousness at the junction.
6. The new dwelling would be of modest scale with relatively low eaves and first-floor accommodation within the roof space. It would appear as subservient to the host dwelling due to its scale and a front elevation which would be further set back from Holmes Lane. Its eastern flank wall would be broadly in line with the property to its north on Northfield Road, and separated amply from the junction by a reasonable distance of garden. Further, the demolition of the existing outbuilding would create space between the new dwelling and the host dwelling which would add to a sense of spaciousness.
7. There is existing tandem parking at the host dwelling. In my judgement, the same practice at the new dwelling would not harm the character and appearance of the area.
8. For all of the above reasons, the proposed development would not harm the character and appearance of the area. As such there is no conflict with Policy ENV2 of the LP which amongst other objectives seeks to protect the character and appearance of places. The proposal would also be in accordance with the design principles of the National Planning Policy Framework.

Living conditions

9. While I acknowledge that the proposal would result in garden sizes smaller than required in most cases by the Council's Design Guide Supplementary Planning Document (SPD), both the host and new dwellings would have reasonably sized and usable gardens. Further, the opening up of the boundary around the garden of the new dwelling would create a sense of space, complemented by the adjacent green verge, which would accentuate the size of the garden. In addition, the creation of a new gap to the rear and side of the host dwelling due to the removal of the outbuilding would also be a material benefit to be enjoyed by its occupiers.
10. Therefore, I find that amenity space would be sufficient so as to prevent harm to the living conditions of the occupiers of the host dwelling and future occupiers of the new dwelling. As such, there is no conflict with Policy ENV2 of the LP which amongst other objectives seeks to protect residential amenity.

Other Matter

11. The Parish Council has raised highway safety concerns. The Highways Authority has raised no objection, and I am satisfied as to highway safety based on the access and turning arrangements and wide visibility of the junction.

Conclusion

12. The proposal is in accordance with the development plan as a whole and there are no considerations which outweigh this finding. Therefore, the appeal is allowed with conditions.
13. In addition to the commencement condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I am also imposing a condition to ensure highway safety.

Andrew Walker

INSPECTOR