



Appeal Decision

Site visit made on 2 September 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2019

Appeal Ref: APP/W0530/W/19/3232462

Deeping Cottage, London Road, Six Mile Bottom, Little Wilbraham CB8 0UH

- 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 Craig Sharp against the decision of South Cambridgeshire District Council.
 - The application Ref S/0454/19/FL, dated 1 February 2019, was refused by notice dated 30 April 2019.
 - The development proposed is demolition of existing dwelling and construction of 3 dwellings with amenity.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and construction of 3 dwellings with amenity at Deeping Cottage, London Road, Six Mile Bottom, Little Wilbraham CB8 0UH in accordance with the terms of the application, Ref S/0454/19/FL, dated 1 February 2019, and the plans submitted with it, subject to the conditions set out in the schedule attached to this decision.

Procedural Matters

2. The description of the development above has been amended from that on the planning application form to confirm demolition of the existing dwelling on the appeal site. I note the appellant has adopted this description on the appeal form.
3. The Decision Notice refers to amended plans submitted during consideration of the planning application. I have determined the appeal on the basis of these plans since the changes made would not affect the interests of third parties.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site forms part of the curtilage of Deeping Cottage. In 2018 planning permission¹ was granted for a pair of semi-detached dwellings on part of the curtilage of Deeping Cottage, lying between the appeal site boundary on the north-eastern edge and the level crossing.

¹ Ref S/2320/18/FL

6. On the side of the London Road where the appeal site is located, the existing dwellings at Nos 1 and 2 are set back some 22m from the highway. Deeping Cottage, due for demolition, is set back by about 3.5m. The pair of semi-detached dwellings subject of the extant permission will be set back about 6m from, and align with, the highway. While the small number of existing and proposed dwellings align with London Road there is not a strong, established main building line.
7. The construction of the new dwellings at a steep angle (c75 degrees) from the highway would soften the impact as well as add interest and variety to the street scene which, in my view, would not appear out-of-place or incongruous in this village location. This is especially the case since the nearby railway line (and buildings associated with it) crosses London Road at an oblique angle. There are also other dwellings in Six Mile Bottom where the frontages do not follow a linear pattern of development including dwellings adjacent to London Road. The dwellings themselves would be of a high-quality design appropriate to their location.
8. Accordingly, I conclude that the appeal proposal will not cause harm to the character and appearance of the area. The proposal would accord with Policy HQ/1 of the South Cambridgeshire Local Plan (2018). This aims to ensure all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. I also consider the proposal is consistent with paragraphs 127 and 130 of the Framework regarding well-designed places.

Other Matters

9. During consultation concerns over the adequacy and visibility onto the highway from the proposed access were raised. These concerns have been addressed in the revised plans. The Environmental Health officer also raised matters relating to railway noise and vibration that are suggested to be addressed by condition.

Conditions

10. The Council has suggested several conditions which I have considered in relation to the National Planning Policy Framework and Planning Policy Guidance and amended where necessary in the interests of precision and avoidance of duplication. All of the conditions set out in the attached schedule are reasonable and necessary to make the approved development acceptable and the appellant has agreed to the pre-commencement conditions (conditions 3, 4 and 5).
11. Conditions 1 and 2 relating to time limits, drawings/plans and construction materials are required in the interests of certainty. Conditions are necessary in respect of: construction methods to ensure highway safety (condition 3); mitigation of noise (condition 4) and vibration (condition 5) to ensure there is no significant impact on future residents; construction materials to ensure the development blends in with the character and appearance of the area (condition 6); ensuring highway safety and adequate parking (conditions 10 to 13), control over the hours of construction activity to minimise disturbance to neighbouring properties (condition 14) and; features to ensure the up-to-date LP requirements relating to Climate Change matters including renewable energy (condition 7), water efficiency (condition 8) and broadband servicing (condition 9) are addressed.

12. I have not included suggested conditions relating to on-site contamination as this proposed condition was not applied by the Council on the adjacent site or that proposed covering structures overhanging the highway which appears inappropriate and unnecessary in the circumstances of this particular development.

Conclusion

13. For the reasons given above and having considered all relevant matters, I conclude that the appeal should be allowed.

David Carter

INSPECTOR

SCHEDULE OF CONDITIONS (14 in total)

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:

Site Location and Block Plans (Ref 815 01C)
House Plans and Elevations. (Ref 815 02A).

3. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway).
 - ii. Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).
 - iv. Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Development shall not be carried out other than in accordance with the approved details.

4. Prior to commencement of development, a scheme for protecting the proposed dwellings from noise from the road/railway/industrial premises shall be submitted to and approved in writing by the Local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted dwellings is occupied.
5. Prior to commencement of development, a scheme shall be submitted to and approved in writing by the local planning authority to provide that the buildings are designed and constructed so as to ensure that vibration dose values from the railway do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled 'Guide to Evaluation of Human Exposure to Vibration in Buildings', [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme and maintained for the life of the approved development.
6. No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
7. No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the dwellings.

8. The dwellings hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.
9. The dwellings hereby approved shall not be occupied until the dwelling to be occupied has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.
10. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
11. The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
12. The proposed driveway shall be constructed using a bound material for the first 5 metres to prevent debris spreading onto the adopted public highway.
13. The access shall be a minimum width of 5 metres, for a minimum distance of 5 metres, measured from the near edge of the highway boundary.
14. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

END OF SCHEDULE