



Appeal Decision

Site visit made on 30 December 2019

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State.

Decision date: Thursday, 13 February 2020

Appeal Ref: APP/D0515/W/19/3239945

Land to North East of 159 Wisbech Road, March, Cambridgeshire PE15 4UX

- 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 M. Patrick against the decision of Fenland District Council.
 - The application Ref F/YR19/0272/F, dated 14 March 2019, was refused by notice dated 1 July 2019.
 - The development proposed is new dwelling – 2 bed bungalow.
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Decision

1. The appeal is dismissed

Procedural Matters

2. The appellant states that with regard to the size of the plot, the garden associated with the new bungalow can be augmented by the addition of land to the rear of No 157 Wisbech Road, should his client complete the purchase of that land before the appeal is decided. For the avoidance of doubt, I have determined this appeal on the basis of the site edged in red on plan number 01/PATR/18, dated Feb 2019, submitted as part of planning application F/YR19/0272/F (Council reference).

Main Issues

3. The effect of the development on the character and appearance of the area, whether the development would provide satisfactory private amenity space for the future occupiers of the proposed dwelling and the effect of the development on highway safety.

Reasons

Character and Appearance

4. The site is currently a fenced off part of the garden of No 159 Wisbech Road. It lies to the rear of this property and is accessed from an unadopted track known as Meadowlands. No 159, in common with other dwellings in the area, has a long rear garden. Opposite the appeal site on Meadowlands are four bungalows, set back in their plots, with parking areas to the front.
5. The appeal proposal is for a two-bedroom bungalow, this is a characteristic form of development on the northern side of Wisbech Road. However, the bungalows front on to Wisbech Road and have long rear gardens and this appears to be a key characteristic of the area. Whilst there are other bungalows along

Meadowlands which appear to have small gardens, they would not be seen in the context of Wisbech Road as they are generally low and set back in their plots and away from the main road. No 159 is located at the start of a row of bungalows. Its garden is the most visible of all the bungalows in this row, when viewed from the approach to March from the A141, Isle of Ely Way. This would make the appeal proposal very prominent when viewed from Wisbech Road and would appear as a dwelling set in the garden of No 159, behind the frontage development. In this respect I find the appeal proposal would be an incongruous feature in an area characterised by bungalows standing in large gardens, fronting on to the main road and therefore would not make a positive contribution to the character of the area.

6. The development plan is the Fenland Local Plan (FLP) adopted in May 2014. It seeks through Policy LP16 to deliver high quality environments throughout the district. It aims to do this by expecting development to make a positive contribution to the local distinctiveness and character of the area. Criterion (d) expects developments to reinforce local identity and not adversely impact, either in design or scale, on the street scene, settlement pattern or landscape character of the surrounding area.
7. I find that the appeal proposal is in conflict with Policy LP 16 of the FLP as it would not make a positive contribution to the local distinctiveness and character of the area by introducing a dwelling which would appear as an incongruous and discordant feature located in the rear garden of No 159, behind the built frontage,, when approaching the town from the A141. This would not respect the existing settlement pattern of the area.

Living Conditions

8. The proposed dwelling would have a rear garden of approximately 70 square metres with a depth of around 5metres.
9. Policy LP 16 criterion(h) expects developments to provide sufficient private amenity space suitable to the type and amount of development proposed. As a guide and depending on the local character of the area this means a minimum of a third of the plot curtilage. The Council have stated that this equates to around 98 square metres.
10. Given the depth of the amenity space proposed, 5metres, its orientation and its overall area, I consider that the amount of private amenity space provided with the appeal proposal to be adequate for this type of dwelling, as it would allow reasonable use to be made of this space by the occupiers. In this respect, as the third of a plot size is described 'as a guide' in the Policy, I don't consider that the appeal proposal is in conflict with Policy LP16 (h) of the FLP, with regard to the size, location and orientation of the private amenity space proposed.

Highway Safety

11. Wisbech Road is a busy road and is one of the principal routes into March from the A141, Isle of Ely Way. The current access track, Meadowlands is narrow and would not allow two cars to pass for the majority of its length.
12. From my site visit I saw car parking spaces located at the front of No 159, directly accessed off the Wisbech Road. In contrast it was not clear that the appeal site has ever been regularly used for the parking of vehicles associated

with No 159. Plan No 02/PATR/18 shows parking to the front of No 159, positioned so that it is accessed from Meadowlands, adjacent to its junction with the Wisbech Road. This area is not included in the application site.

13. On balance I consider that the appeal proposal would lead to a material increase in cars using the access track, Meadowlands. It appears to me that vehicles currently using No 159, park to its front and access these spaces directly from the Wisbech Road. This would mean that the appeal proposal would introduce another dwelling using Meadowlands as its access, with all its associated daily vehicular movements. I have also had regard to the details shown on plan No 02/PATR/18 which shows repositioned parking at No 159, accessing the Wisbech Road via Meadowlands. If this arrangement were to be implemented, then it would add to the use of this junction and Meadowlands. I find that there would be a material increase in cars using Meadowlands. Meadowlands is outside the control of the appellant and it is not clear whether any improvements necessary to improve the access are capable of implementation.
14. Policy LP2 and LP15 of the FLP seek to ensure safe access to new developments. The appeal proposal would result in the material increase in use of Meadowlands which is not wide enough for two cars to pass. This would lead to the increased possibility of cars having to wait on the public highway to turn right into Meadowlands, increasing the risk of accidents at this junction. This would be in conflict with Policies LP2 and LP15 of the FLP as the appeal proposal does not demonstrate that it is capable of providing safe access to the site.
15. I find that the appeal proposal is in conflict with Policy LP 16 of the FLP as it would not make a positive contribution to the local distinctiveness and character of the area by introducing a dwelling which would appear as an incongruous and discordant feature located in the rear garden of No 159, behind the built frontage, when approaching the town from the A141. This would not respect the existing settlement pattern of the area. I further find that as it does not make adequate provision for safe access to the site from the Wisbech Road via Meadowlands, it is therefore in conflict with Policies LP2 and LP15 of the development plan, the FLP.

Conclusion

16. I find that having regard to all matters before me, including the policies of the development plan, when read as a whole, that the appeal should be dismissed.

Peter Mark Sturgess

INSPECTOR