
Appeal Decision

Site visit made on 9 March 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th March 2020

Appeal Ref: APP/V0510/W/19/3240380

8 The Cotes, Soham, Ely, Cambridgeshire CB7 5EP

- 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 Brett Fuller against the decision of East Cambridgeshire District Council.
 - The application Ref: 19/00814/FUL, dated 31 May 2019, was refused by notice dated 5 August 2019.
 - The development proposed is a two-bedroom bungalow.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the suitability of the site as a location for a residential development with particular reference to the requirements of planning policies; and
 - the effect of the development upon the character and appearance of the surrounding area.

Reasons

Suitability of the site

3. The site is located to the rear of 8 The Cotes, with the proposed dwelling fronting onto Blackberry Lane. This is an unmetalled road that does not feature any form of street lighting. The surrounding road network is relatively narrow and unlit.
4. Whilst the appeal site is located near to other dwellings, these form a relatively small group. As such, these dwellings do include the features usually expected within a settlement. Therefore, whilst the proposed development by itself would not be isolated owing to its proximity to other dwellings, residents would need to travel to other settlements, such as Soham which is some distance away, in order to meet their day to day needs.
5. This causes concern as by reason of the pattern of development within the surrounding areas, journeys to and from the appeal site would need to be made via Blackberry Lane and the road running in front of No. 8. Both of these are narrow in nature, lacking in pavements, uneven in places and unlit. Furthermore, verges are of an inconsistent width and adjacent to ditches. In

- consequence, the pedestrian environment would be relatively unattractive as movement would come into conflict with vehicular traffic.
6. The site is some distance away from any bus stop, or other form of public transport. As a result, residents of the development are likely to be reliant upon private cars as their main means of travel. In consequence, the lack of a suitable pedestrian environment and access to public transport would result in a car dominated development. Therefore, whilst the town of Soham contains a number of services, these would not be readily accessible from the appeal site other than by private vehicles.
 7. Although Blackberry Lane serves relatively few properties, its narrowness and absence of an appropriate pedestrian environment means that conflict between vehicle movements and pedestrians would occur. This is likely to increase the attractiveness of private cars as a means of travel as opposed to methods such as walking.
 8. From the windows of the proposed development, there would be some illumination of Blackberry Lane, however, the effect of this would be relatively small as such lighting would only serve a portion of Blackberry Lane and is likely to occur for limited periods of time only. As such, this does not overcome the aforementioned issues regarding the pedestrian environment.
 9. I am aware that the local highway authority did not object to the planning application. However, in considering this appeal I have been directed to summaries of the surrounding road network, including their condition and adopted development plan policies. Accordingly, I have given these matters weight in my assessment. I also note that there is room at the junction between Blackberry Lane and The Cotes for vehicles to pass, however, this does not overcome the issues associated with a lack of appropriate pedestrian environment.
 10. I therefore conclude that the proposed development represents an unsuitable location for this residential development. The development, in this regard, would fail to accord with the requirements of Policies COM7, GROWTH2, and GROWTH5 of the East Cambridgeshire Local Plan (2015) (the Local Plan). These policies, amongst other matters, seek to direct new development towards settlements; improve environmental conditions; and provide a comprehensive network of routes, giving priority to walking and cycling.

Character and appearance

11. The appeal site is located to the rear of No. 8, albeit it would front onto Blackberry Lane. There are a number of other buildings adjacent to Blackberry Lane, but these are generally spaced apart. Thereby an open, more rural character is retained.
12. Although the development would feature a garden and car parking, the proposed development would encompass a notable proportion of the appeal site. In consequence, the development would result in a loss of openness in the area to the rear of No. 8 as the proposed dwelling would be viewed alongside No. 8 and other existing buildings.
13. I note that the proposed dwelling features a garden, however, the longest edge of the proposed dwelling would run parallel to Blackberry Lane. In consequence, it would be particularly prominent.

14. This is particularly concerning as owing to the general topography of the area and general lack of variation, the appeal site is clearly visible from a significant distance away, thereby exacerbating the general incongruous form of development.
15. Whilst some planting is present within the surrounding area, this does not completely screen the site. Furthermore, any screening effect would vary depending on the season. I also have no means by which the retention of this could be secured throughout the life of the development. In consequence, it would not be possible to fully mitigate the effects of the character and appearance of the surrounding area.
16. I recognise that the surrounding area does not appear to be the subject of a formal designation, such as a conservation area, green belt, or area of outstanding natural beauty. Nonetheless, the area does have a distinctive character that would be eroded by the proposed development.
17. Whilst the site could be developed in a way that would retain the foliage on the boundaries of the site and the proposed garden could be landscaped. However, the screening effects of this are likely to be relatively small on account of the siting of the proposed dwelling.
18. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the surrounding area. The development, in this regard, would fail to comply with the requirements of Policies ENV1 and ENV2 of the Local Plan. These policies, amongst other matters, seek to ensure that new developments create compatible relationships with landscaped features; and are sympathetic to the surrounding area.

Other matters

19. The evidence before me is indicative that the Council cannot currently demonstrate a five-year housing land supply. Accordingly, the 'tilted balance' as outlined in paragraph 11(d) of the National Planning Policy Framework (the Framework) applies. This states that planning permission should be granted for residential development unless the benefits of the proposal are significantly and demonstrably outweighed by the harm.
20. In this instance, the benefits of the development are relatively limited on the grounds that the proposed development is for a single dwelling only, even if the dwelling were to be relatively low-cost. Furthermore, any benefits to the local economy arising from the construction process would also be relatively small owing to the scale of the development and would also be relatively localised in impact.
21. Accordingly, I find that the benefits of the proposal are significantly and demonstrably outweighed by the harm to the character and appearance of the surrounding area and over reliance on private vehicles for access.
22. I also note that the development is for a bungalow, which may be in some demand. However, given that only one household could be accommodated within the proposed development the benefit arising from this is limited and does not overcome the aforementioned harm.

23. I understand that the local ward councillors did not raise any objections to the proposed development. Whilst this is a matter of note, it does not overcome the harm as previously identified.
24. I have been provided with an appeal decision pertaining to a proposed development in Mepal. I do not appear to have been provided with all information regarding the planning circumstances of this development, which lessens the weight that I can attribute to it. Nonetheless, I note that the development is within a different location and therefore has a contrasting context. I therefore do not find that this development enables me to disregard my previous concerns.

Conclusion

25. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR