



Appeal Decision

Site Visit made on 16 November 2020

by Mr Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2020

Appeal Ref: APP/V0510/W/20/3255938

Land Southwest Of The Drove, Bedwell Park, Witchford, Cambridgeshire

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 Gary Duthie on behalf of Tingdene Developments Limited against the decision of East Cambridgeshire District Council.

The application Ref 19/01498/FUL, dated 17 October 2019, was refused by notice dated 14 January 2020.

The development proposed is erection of up to 23 prefabricated sectional single garages to be used and occupied in association with 23 residential park homes permitted to be sited and occupied under planning permission 16/00431/FUL, dated 13 June 2017 (part retrospective).

Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 23 prefabricated sectional single garages to be used and occupied in association with 23 residential park homes permitted to be sited and occupied under planning permission 16/00431/FUL, dated 13 June 2017 (part retrospective) at Land Southwest Of The Drove, Bedwell Park, Witchford, Cambridgeshire in accordance with the terms of the application, Ref 19/01498/FUL, dated 17 October 2019, subject to the conditions set out at the end of this decision.

Preliminary Matters

2. I have used the site address as it appears on the Council's Decision Notice, as opposed to as stated upon either the application form or appeal form. This is because I am content it is accurate. Indeed, the Wilburton address given on the application form and appeal form does not appear to precisely identify the appeal site's location in correct terms. I am satisfied that no party with an interest in this appeal is prejudiced by me taking this approach.
3. The planning application that is now the subject of this appeal was originally refused for two separate reasons. However, the Council has indicated that, following the removal of objections from relevant consultees, it no longer wishes to rely upon its second reason for refusal. This related to surface water drainage/flood risk. I shall determine the appeal on this basis.
4. On 21 May 2020, following the determination of the planning application that is now the subject of this appeal, the Witchford Neighbourhood Plan 2019-2031 (the WNP) was made. It thus now forms part of the development plan. The main parties have had the opportunity to comment upon any relevance to the outcome of this appeal and I have considered any related observations made.

5. It is the appellant's stance that it would be unlikely that every proposed garage would ultimately be erected in the event the appeal be successful. This is due to construction being dependent upon the individual requirements of site occupiers. However, planning permission is sought for the erection of 23 single garages and it is my duty to determine the appeal based upon the plans submitted.

Main Issue

6. The effect upon the character and appearance of the area.

Reasons

7. The appeal site makes up part of an established estate of residential park homes/mobile homes (the park) that is comprised of similarly designed single storey homes located upon often routinely positioned small-sized plots. The park has a compact residential character and appearance. There are 23 plots contained within the appeal site itself and planning permission¹ to site a mobile home upon each of these plots was granted in 2017. At the point in time of my inspection, only some of the 23 plots had a mobile home positioned upon them.
8. The garages under consideration are of modest scale and specification and are comprised of a simple palette of materials. They appear/would appear as small and supplemental additions to each of the plots in question. This is indeed evident to the site's eastern side where a small number of the proposed garages have already been installed. It is also the case that the garages occupy/would occupy typically discreet locations between mobile homes, which limits/would limit, their range of visibility.
9. The current boundary hedgerow that is in place along Grunty Fen Road (the road) does not provide a solid buffer to views. Nevertheless, whilst the proposed garages intended to be sited furthest west upon the appeal site would be anticipated to be readily visible when experienced from the road, they would be viewed against the backdrop of the park. This is an important factor in this case.
10. I have noted reference to the density and spaciousness of the additional 23 plots/homes when compared to the remainder of the park. However, any such differential in development density is not pronounced and was not abundantly obvious from on-site inspection. Whilst the proposed garages would reduce openness between mobile homes intended to be sited in proximity to the road, gaps and spaces would still be apparent. This is particularly owing to the garages' low heights and narrow footprints. The proposal is consistent with the park's compact makeup when read and experienced as a whole, which already contains numerous garages of not dissimilar size and design to those proposed here.
11. Whilst the appeal site is in-part located outside of Witchford's defined development envelope and considered as open countryside in local planning policy terms, the proposal, even if implemented in full, would not be unacceptably visually intrusive and would not cause harm to the character and appearance of the area. The proposal accords with Policies ENV1, ENV2 and HOU7 of the East Cambridgeshire Local Plan (April 2015) and Policy WNP LC1 of the WNP in so far as these policies require that proposals shall be sensitive

¹ 16/00431/FUL

to the distinctive landscape and settlement character and that, at mobile home or residential caravan parks, all proposals for development or intensification must have no adverse impact on the character and appearance of the locality.

Conditions

12. The Council has suggested a number of conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the National Planning Policy Framework (February 2019) (the Framework) and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity purposes and have omitted others.
13. In the interests of certainty, a condition specifying the approved plans is required. The Block Plan that has been submitted is not drawn to a specified scale and, to my mind, this must be rectified in the interests of certainty before further development commences. Nevertheless, the Block Plan offers a clear indication as to where garages are intended to be positioned. Having visited the site and considered the Block Plan alongside other submitted to-scale drawings, and when also noting the subordinate nature of the garages under consideration, I am content to list it as an approved drawing.
14. In the interests of ensuring that flood risk is adequately guarded against and that surface water is properly managed on-site, a condition is reasonable and necessary to secure, before further development commences, full details of how rainwater discharged from the roofs of the garages is to be captured by the site's previously approved surface water drainage scheme. To guard against any additional impermeable surface coverage on-site, a to-scale Block Plan (as discussed above) would assist in providing full assurances that garages shall be sited in locations where hardstanding is already permitted. As a further note, I am sufficiently satisfied that the small number of garages I witnessed to have already been erected would not, in realistic terms when considering their observed positioning, compromise the site's previously agreed surface water drainage scheme.
15. As the proposal is part retrospective, it is not necessary to impose a planning condition requiring that development is commenced within a specified time period. Furthermore, it is neither reasonable nor necessary to specify particular hours for construction activities and deliveries to occur. This is because the scheme relates solely to the erection of prefabricated single garages, the delivery and construction of which offers limited potential to affect neighbouring living conditions. Indeed, even in the unlikely event that it did, options would exist outside of the planning process to investigate working practices at the site.

Conclusion

16. For the reasons given above, the appeal is allowed subject to conditions.

Andrew Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved drawings: Location Plan (scale 1:1250); Block Plan (dated 22/08/2019); Che/9-6/001; SB2 C.
- 2) Notwithstanding the approved drawings, no development (other than single garages already erected at Plots 1, 3 and 5, as annotated upon the approved Block Plan) shall take place until a scaled Block Plan to demonstrate the exact location of the garages hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.
- 3) No development (other than single garages already erected at Plots 1, 3 and 5, as annotated upon the approved Block Plan) shall take place until full details of how rainwater discharged from the roofs of the garages hereby permitted shall connect into the site's wider surface water drainage strategy (associated to planning permission 16/00431/FUL) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details, which shall be retained as installed at all times thereafter.