
Appeal Decision

Site visit made on 5 January 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 26 January 2021

Appeal Ref: APP/V0510//W/20/3258524

Land north of 133 North Street, Burwell CB25 0BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr P. Starmer against the decision of East Cambridgeshire District Council.
 - The application Ref: 20/00235/OUT, dated 13 February 2020, was refused by notice dated 8 April 2020.
 - The development proposed is the erection of 1No. 1/2 storey dwelling and garage on land adjacent to 133 North Street, Burwell.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all matters reserved for future consideration. I have had regard to the submitted details on an indicative basis only.
3. The appeal form states that the appellant is Mr Smith. However, it has been subsequently confirmed, in writing, that the appellant is, in fact, Mr P. Starmer, who was also the applicant for planning permission. I have therefore proceeded on this basis.

Main Issues

4. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon ecology.

Reasons

Character and appearance

5. The appeal site consists of a predominantly undeveloped site that contains a number of trees and is adjacent to other buildings in North Street. Other buildings occur on an occasional basis and the site is opposite an open field.
6. Whilst the proposed development would be located next to other buildings, the existing dwellings are located broadly in line with one another. In consequence,

there is a significant delineation between the settlement of Burwell and the open countryside beyond, which is marked by Howlem Balk. By reason of its siting, the proposed dwelling would project beyond this established line.

7. In addition, the surroundings of the appeal site have a much more rural character. This includes the fields that are next to and opposite the site. In addition, the pavements in North Street cease before the appeal site. Adjacent to the site there is a cessation in street lighting and the speed limit increases from 30 miles per hour to the national speed limit. Taken together, these factors lead me to believe that the appeal site is adjacent to the settlement of Burwell, rather than within it.
8. In consequence, the erection of the proposed dwelling would result in an increase in the level of development within the countryside. Owing to the topography of the locality, the extent of the settlement of Burwell is clearly visible. In consequence, the proposed development, by reason of the level of built form, would result in an increasingly urbanised character that would erode the current rural appearance of the appeal site and its immediate environs.
9. The appellant has suggested that the proposed scheme would be of an attractive design and would utilise sustainable building techniques. I have considered the indicative details before me but note that owing to the more rural character of the appeal site and the area beyond the settlement of Burwell, the proposed development would impinge upon its more rural appearance.
10. I have noted that there are buildings to the rear of the appeal site. However, these occur on an occasional basis, are set back from the road by a significant distance and are well screened. In result, they do not have the same effect on the character and appearance of the surrounding area as the appeal scheme would have. I therefore do not find their presence sufficient to overcome my previous concerns.
11. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard would conflict with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan (2015) (the Local Plan). These, amongst other matters, require that new developments should demonstrate that their location will create positive, complementary relationships with existing development and will protect, conserve, and where possible enhance the pattern of distinctive historic and traditional landscape features; and be designed to a high quality, enhancing and complementing local distinctiveness

Ecology

12. The appeal site is currently undeveloped and contains a number of mature trees. The appeal site is also adjacent to fields, which contribute to a generally rural and less developed character of the surrounding area.
13. By reason of the nature of the appeal site, and the surrounding area, there is a likelihood that the appeal site could form a habitat for wildlife. Should the proposed development proceed, it would result in a loss of this less developed appearance and replacement with a building. Furthermore, there is a reasonable likelihood that the development would also include areas of hard surfacing for car parking, in addition to other items of domestic paraphernalia.

Such installations have the potential to reduce the ability of the site to accommodate some types of wildlife.

14. This is a concern as the evidence before me is not indicative of any survey into the likely presence of wildlife species having been carried out. In consequence, it is not possible to reasonably conclude that the proposed development would not have an adverse effect upon matters of ecological importance.
15. I have given some consideration as to whether it is possible to impose a condition that would require such a survey to be carried out. However, without certainty regarding the potential level of wildlife on the site, it is not possible to categorically identify whether any mitigation would be required and, if so, the appropriate level. In consequence, such a condition would not have the requisite level of precision so as to be unreasonable. In result, this approach would not overcome my previous concerns.
16. I therefore conclude that the proposed development would have an adverse effect upon ecology. The development, in this regard, conflicts with Local Policies ENV1, ENV2 and ENV7. These, amongst other matters, seek to ensure that new developments protect, conserve, and where possible enhance the pattern of distinctive historic and traditional landscape features; respect the biodiversity of the surrounding area; protect the biodiversity and geological value of land and buildings; and minimise harm to or loss of environmental features.

Other Matters

17. The proposed development would increase the local housing supply, however, any benefit arising from this would be very limited by reason of the scale of the development and that the Council can demonstrate a housing land supply in excess of five years. In addition, the scale of the proposed development means that any economic benefits are also likely to be of a small scale. In consequence, these matters do not outweigh my conclusions in respect of the Main Issues.
18. My attention has been drawn to some previous planning decisions. I have not been provided with the full planning circumstances of these, which lessens the weight that I can attribute to them. Nonetheless, I note that these developments are located on different sites, with varying surroundings. In consequence, they are not directly applicable to the proposal before me. In result, I do not find that they overcome my previous concerns.

Conclusion

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

Benjamin Clarke

INSPECTOR