



Appeal Decision

Site Visit made on 21 September 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2021

Appeal Ref: APP/W0530/W/21/3271636

Monica, Old North Road, Bourn CB23 2TZ

- 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 Mrs Rita Clarke against the decision of South Cambridgeshire District Council.
 - The application Ref 20/02297/OUT, dated 2 May 2020, was refused by notice dated 30 October 2020.
 - The development proposed is described as a 1 1/2 Storey Detached Dwelling and Double Garage at Monica, Old North Road, Bourn. The site currently has a Mobile home on site and previously before that a detached Bungalow before it burnt down. The site benefits from an existing vehicle access off Old North Road which we will be utilising. also proposed is a single storey detached double garage. the proposed development will be restricted from view from the roadside due to the dense belt of trees and hedges to the front of site which will remain unaltered. we will also be utilising the existing vehicle access off Old North Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. After the submission of the appeal, the National Planning Policy Framework (the Framework) was revised. In considering the appeal, I have had regard to these revisions, having first given the parties opportunity to comment.
3. The planning application was submitted in outline form, with all matters reserved for future consideration. I have therefore had regard to the details pertaining to the reserved matters on an indicative basis only.

Main Issues

4. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the suitability of the site as a location for a residential development.

Reasons

Character and appearance

5. The appeal site is of a relatively narrow nature and located between two existing dwellings. The appeal site contains a number of trees, including a line

- of trees located adjacent to the front boundary. The trees near to the front of the site are protected by a Tree Preservation Order.
6. The proposed development, although submitted in outline form, is likely to have a different design and appearance to the existing caravan. In particular, it is likely to have a significantly more domestic appearance.
 7. Whilst the planning application was submitted in outline form, the description of the development includes the provision of a garage. This would represent an increase in the number of buildings on the appeal site. In addition, the proposed development would include a driveway, which is likely to have a more engineered appearance than the existing access.
 8. In conjunction with the proposed dwelling, these are likely to result in an increase in the overall level of built form over the existing caravan. This would therefore lead to an erosion of the site's open and less developed character.
 9. In addition, as a dwelling, the future residents would benefit from permitted development rights for the erection of items such as extension and outbuildings, which would add to the overall level of built form within the appeal site and would lead to a greater erosion of the site's character.
 10. Although the proposed development would feature a garden, it is likely that such a space would potentially have an appearance that contrasts with the current natural appearance of the space that surrounds the existing caravan. Moreover, there is a likelihood that residents would place items of domestic paraphernalia within the garden area, which would create a more domestic appearance in contrast to the site's existing character.
 11. The proposed dwelling could be located in a location comparable to the existing caravan. However, when the dwelling is combined with the greater built form proposed and the potential for further works to be carried out, it would result in a greater urbanising effect on the appeal site and its surroundings.
 12. Whilst the appeal site is near to other dwellings, a feature of the vicinity is that gaps exist between buildings. The proposed development would conflict with this characteristic owing to the loss of a gap between existing dwellings.
 13. The appeal site is currently well-screened due to the presence of trees adjacent to the front boundary. However, the screening effect of these trees is likely to vary depending on their future health. In consequence, the trees may not, in the future, be able to completely mitigate the adverse form of the proposed development. This effect has the potential to occur even though they are covered by the Tree Preservation Order.
 14. 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 Policy HQ/1 of the South Cambridgeshire Local Plan (2018) (the Local Plan). Amongst other matters, this seeks to ensure that proposed developments preserve or enhance the character of the local area and respond to its context in the wider landscape.

Suitability of the site

15. The appeal site is located outside of settlement boundaries near to other dwellings. However, there are some gaps between buildings. The appeal site

originally contained a bungalow. However, this was demolished, and the site currently contains a caravan.

16. In considering this appeal, I have been directed towards Policies S/6; S/7; and H/14 of the Local Plan. Amongst other matters, these seek to ensure that developments outside of development frameworks support specific activities; set out the hierarchy for the location of new developments; and specifies that caravans are distinct from permanent dwellings and their replacement with a dwelling should not be permitted outside of village framework boundaries.
17. The proposed development would not be located in an area identified for development by Policy S/6 and would not fall within one of the uses specified by Policy S/7. In consequence, these two policies would be breached by the proposed development. I acknowledge that Policy H/14 of the Local Plan would also be breached as the development seeks to replace a caravan.
18. Although caravans are different from dwellings in that a caravan is of a temporary construction, whilst dwellings are of a permanent nature, it is necessary to consider the use of the land.
19. The evidence before me indicates that the use of the land lawfully includes the siting of a caravan upon it and that a caravan has been sited for some considerable time. Therefore, although the lifespan of the current caravan might be limited, there is no reason to suggest that it could not be replaced by a similar caravan at some point in the future.
20. In addition, the evidence before me does not indicate that there is any limitation on the potential occupancy of the caravan on a permanent basis. Therefore, there is a likelihood that people could be resident at the site throughout the year.
21. The appeal proposal has been made in outline form and scale has been reserved for future consideration. Therefore, notwithstanding the indicative details, there is a possibility that the new dwelling could be of a modest scale, comparable in size to the caravan.
22. In light of this, there is a realistic likelihood that the proposed development would not be used on a more intensive basis than the existing use of the land. As the Council would have the opportunity to consider a reserved matters application, there would be a mechanism to ensure that the proposed dwelling would be of a suitable modest scale.
23. Therefore, whilst the nature of the surrounding land uses means that residents of the development would need to travel to other settlements in order to meet their day to day needs. This is unlikely to result in a significantly greater amount of harm arising as residents of the existing use would also be reliant upon travelling to other settlements to meet their needs.
24. Therefore, whilst the appeal documentation does not indicate that the surrounding area benefits from a reasonably extensive bus service and the surrounding road network, in places, lacks separate environments for pedestrians and cyclists. The development, subject to a rigorous assessment regarding its scale is unlikely to result in a greater number of journeys being made by private car.

25. I have had regard to the indicative plans submitted by the appellant. However, as an outline application, these demonstrate that a quantum of development can be accommodated on site. If I were minded to allow this appeal, the appellant would be at liberty to amend these details and propose a smaller dwelling.
26. Whilst I have been directed towards adopted development plan policies, the Framework is clear that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, the existing use of the site is such a material consideration. In this regard, the development is in conformity with the Framework.

Other Matters

27. The proposed dwelling could be constructed to ensure a greater level of energy efficiency. Whilst this is a matter of note, it is only one of all the issues that must be considered and therefore does not outweigh my previous findings.

Planning Balance and Conclusion

28. Whilst I have concluded that the relevant material considerations mean that the appeal site would not be an unsuitable location for a dwelling, this would be outweighed by the adverse effect upon the character and appearance of the surrounding area.
29. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR