



Appeal Decision

Site visit made on 12 July 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th August 2022

Appeal Ref: APP/W0530/W/22/3291675

Land to the Rear of 60 Impington Lane, Impington, Cambs CB24 9NJ

- 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 Ely Diocesan Board of Finance against the decision of South Cambridgeshire District Council.
 - The application Ref 20/04706/FUL, dated 17 November 2020, was refused by notice dated 13 December 2021.
 - The development proposed was described on the application form as the construction of a three bedroom single storey dwelling including external works and parking together with the demolition of a single storey attached garage to No 60 Impington Lane to allow access.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Ely Diocesan Board of Finance against South Cambridgeshire District Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are: (i) whether it has been demonstrated that flood risk would not be increased on the site or elsewhere; and (ii) the effects of the development on the character and appearance of the area.

Reasons

Flood risk

4. The proposed dwelling would be located in the rear garden of 60 Impington Lane, which is a lawn with fruit trees surrounded by other dwellings and their gardens. Access would be along the side of the plot, following demolition of the existing garage. The site is located in Flood Zone 1, but parts of the ground in the vicinity of the proposed dwelling are of Gault Clay with poor permeability. The site contains areas known to be of medium-high surface water flood risk¹.
5. At the time of my site visit I noted the ditch running along the western boundary. I also noted a relatively large balancing pond on a small development on the other side of Impington Lane, now named Hunters Close.

¹ Environment Agency surface water flood map as referenced in the submitted Flood Risk Assessment and Drainage Strategy

6. Infiltration testing by the appellant suggests there are areas of more permeable ground at the front of the appeal site, and that infiltration would be sufficient for soakaways. The appellant's proposed strategy to channel surface water from the rear of the site to the front is supported by a Flood Risk and Drainage Strategy and additional drainage information. I have seen no technical evidence against such an approach, and note the Council's Drainage Engineer has no objection. In principle, that approach appears reasonable and would reduce flooding on the appeal site itself.
7. However, I also note comments from a number of local people who advise of significant drainage and flood-related challenges on the rear of the appeal site and in nearby properties and gardens. They also suggest underground land drains run east-to-west across the appeal side into the ditch running along the western side of the site. I have not seen compelling evidence to demonstrate there are not drains running across the site from elsewhere, and two small pits in the centre of the site would not establish the presence or otherwise of drains running east-west across the site. I therefore cannot be certain that the development would not compromise the effectiveness of any such drains which would be likely to increase surface water flood risk elsewhere. Moreover, I cannot be certain that the reduced likelihood of flooding on the appeal site could mitigate this possibility of increased flood risk elsewhere.
8. The development would therefore be contrary to South Cambridgeshire Local Plan 2018 ('LP') Policy CC/9, which relates to managing flood risk. It would also conflict with paragraph 167 of the National Planning Policy Framework ('the Framework'), which requires that planning decisions ensure flood risk is not increased elsewhere.

Character and appearance

9. Impington Lane, and the area immediately adjoining the appeal site, is characterised by detached dwellings of various styles. Many are set back from the road behind hedges or walls, along with significant vegetation. From Impington Lane the proposed dwelling would only be visible through a narrow gap beyond a large tree.
10. The rear of the appeal site is therefore seen in the context of generous tree cover and the existing development surrounding it. Either side of the appeal site, 58 Impington Lane is a two-storey brick and tile dwelling and the cabin at the rear of 62 Impington Lane is a single-storey annexe with a tiled roof. The gable end of 11 Roselea stands at the rear of the appeal site.
11. In terms of scale, the footprint of the proposed dwelling would be comparable to some of the larger dwellings in the area, including the adjacent dwelling at No 58. Although proportionate to building size the plot would be smaller than many in the area, and would be only slightly smaller than that of No 58. The proposed single storey flat roofed dwelling would also be lower than the surrounding buildings, and the flat roofed garage and car port would be a moderately sized building. The proposed development would not therefore result in excessive development of the external areas, or an inappropriately dense form of development.
12. The proposed dwelling would be a modern design among more traditional buildings and materials. It would be a single storey flat roofed building with cedar cladding and areas of white painted render with a sedum roof. The low-

lying distinctive design would be set behind 1.8m close boarded boundary fencing to the rear and sides, and visibility from the street would be very limited. There is no established design in the immediate vicinity of the proposed dwelling, and each surrounding building is of a different character. In these respects, I therefore conclude the proposed design would not harm the character and appearance of the area.

13. The development would therefore accord with LP Policies HQ/1 and H/16, which relate to design principles and development of residential gardens, Chapter 12 of the Framework, and National Planning Policy Guidance, which relate to design.

Other Matters

14. Other matters have been raised, including those relating to living conditions of neighbouring occupiers, traffic, security, ecology, and additional land not identified within the site boundary. None of these matters would weigh in favour of the proposed development and, as I am dismissing the appeal for other reasons, I have not considered these matters further.
15. One additional dwelling in this Rural Centre village (as designated in LP Policy S/8) would make a small contribution towards increasing housing supply and supporting local services. The Framework seeks to significantly boost the supply of homes, acknowledges the role that small sites can make to meeting housing requirements, and that they are often built relatively quickly. There would also be temporary economic benefits arising from its construction. Together these matters carry limited weight in favour of the development.
16. Therefore, although I have not found the development would harm the character and appearance of the area, I cannot be certain the development would not increase flooding elsewhere. As a consequence, the development would conflict with development plan and national policies attracting significant weight against the development, and the benefits of the development would not outweigh the identified harm.

Conclusion

17. For the reasons above, having regard to the development plan as a whole, the approach in the Framework, and all other relevant considerations, the appeal should be dismissed.

Peter White

INSPECTOR