



Appeal Decision

Site visit made on 28 February 2023

by R Norman BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th May 2023

Appeal Ref: APP/V0510/W/22/3306430

Land Adjacent to No.7 Northfield Road, Soham CB7 5UE

- 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 Isaacson against the decision of East Cambridgeshire District Council.
 - The application Ref 22/00087/FUL, dated 20 January 2022, was refused by notice dated 16 March 2022.
 - The development proposed is a two bedroom detached house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the area;
 - The effect of the development on the living conditions of nearby residents;
 - The effect of the development on highway safety; and
 - Whether suitable biodiversity net gain has been demonstrated.

Reasons

Character and Appearance

3. The appeal site is located within the main settlement of Soham within an area of existing residential properties. It sits between two existing dwellings, Nos 4 and 7, and is currently a vacant piece of land. It is bounded to one side and rear by fencing and is open adjacent to No 7 and the road frontage. The proposed development would introduce one detached dwelling into the site with associated driveway and garden land.
4. The appeal site currently forms a visible and spacious gap within the immediate street scene, breaking up the built form. However, I do not find that gaps between dwellings form a consistent or characteristic pattern of development along this part of Northfield Road. As such, the development of the appeal site would not be harmful to the overall pattern of development in respect of open gaps in this case.

5. However, the appeal site is irregularly shaped and the introduction of a detached dwelling into this site would appear cramped and out of character with the more generous plots in the immediate surroundings due to the size of the site and the positioning of the proposed dwelling. The East Cambridgeshire District Council Design Guide SPD (2012) (SPD 2012) states that, in most cases, building plots should be approximately 300 square metres, and this site falls below this size. Furthermore, along this side of Northfield Road, the dwellings are predominantly semi-detached, and the introduction of the detached dwelling would disrupt the regular form of the immediate street scene.
6. I have had regard to the other sites highlighted by the Appellant where properties have either been extended or new dwellings introduced. I have limited details of the consideration behind these examples, and I do not consider that extensions to dwellings are comparable to the proposal before me. In addition, these examples are in different locations, some at a distance from the appeal site, where the context of the surroundings are different. As such, I find that these examples are not sufficient to justify the proposed development in this instance.
7. For the above reasons, I conclude that the proposed development would be at odds with, and harmful to, the character and appearance of the surrounding area. It would therefore fail to comply with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan (2015) (Local Plan) and the SPD. Collectively these seek to ensure that development provide complementary relationships with the existing development and relate sympathetically to the surrounding area, amongst other things.

Living Conditions

8. The proposed dwelling would be sited in line with the existing dwelling at No 7. It would be positioned wholly forward of the neighbouring property at No 4 which is set well back from the road. The side elevation facing No 4 would have one window in the first-floor elevation which would serve a bedroom.
9. Due to the positioning of No 4 and the proposed siting of the dwelling, away from the side boundary, this window would be facing the driveway of No 4. I therefore find that this would not give rise to undue overlooking or loss of privacy for the occupiers of No 4.
10. The Council have raised no concerns over the impact of the proposed development on No 7 and I have little before me that would lead me to conclude otherwise.
11. The proposed development would therefore not give rise to a detrimental impact on the living condition of adjacent occupiers. As such it would comply with Policy ENV2 of the Local Plan insofar as it requires development to ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers.

Highway Safety

12. The proposed dwelling would be accessed off Northfield Road via the existing dropped kerb. Off-road parking for two cars would be provided within the appeal site with room.

13. Northfield Road is relatively straight in this location with good existing visibility. I note the boundary wall for No 4 on the back edge of the footpath and accept that there would be an intensification of use arising from the proposed development. However, given the likely slow speeds of cars entering and exiting the appeal site and the road conditions I consider that the proposed development would not give rise to adverse impacts on pedestrian safety that would render the development unacceptable, and the suggested conditions would ensure that suitable access could be achieved.
14. The proposal would therefore comply with Policy COM7 of the Local Plan which requires development to provide safe and convenient access to the highway network, amongst other things.

Biodiversity Net Gain

15. Policies ENV1, ENV2 and ENV7 of the Local Plan collectively require development to protect the biodiversity value of land, minimise harm to or loss of environmental features and habitats and conserve and incorporate biodiversity features, amongst other things.
16. Furthermore, the Council have adopted a Natural Environment Supplementary Planning Document (September 2020) (SPD 2020). This requires all development proposals to contribute and enhance the natural and local environment by firstly avoiding impacts where possible, minimising impacts on biodiversity and providing measurable net gains for biodiversity (Policy SPD.NE6), amongst other things.
17. The appeal site currently comprises an area of grass with a strip of concrete pathway, with trees and hedging on the adjacent site. I note that the Council have not specified that there are currently any important trees or landscaping features within the site. However, the policies and SPD require demonstrable biodiversity net gain and evidence that the development would conserve and where possible enhance landscape and biodiversity features and whilst this may be achievable through a careful landscaping scheme or other means, I have been provided with insufficient evidence at this stage to demonstrate that this could be achieved.
18. Consequently, I find that the proposed development fails to comply with the provision of Policies ENV1, ENV2, ENV7 of the Local Plan and the SPD 2020 insofar as they relate to the need to protect and enhance biodiversity features and demonstrate a significance biodiversity net gain.

Other Matters

19. One letter of representation has been received from a neighbouring resident. The letter stated that they have no objection subject to no overlooking windows and suitable parking provision. I have addressed these matters above.

Planning Balance

20. The proposed development would include under floor heating, a ground source heat pump, an electrical vehicle charging point and is in a location that has suitable access to facilities and services.

21. Nevertheless, these considerations are not sufficient to outweigh the harm identified above and the proposal is therefore contrary to the above policies and accordingly the development plan as a whole.

Conclusion

22. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR