



Appeal Decision

Site visit made on 15 May 2023

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023

Appeal Ref: APP/W0530/W/22/3307224

135 Hereward Close, Impington CB24 9YF

- 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 Shaun Thomas against the decision of South Cambridgeshire District Council.
 - The application Ref 22/01470/FUL, dated 24 March 2022, was refused by notice dated 13 September 2022.
 - The development proposed is Alterations to boundary treatment and construction of single storey 1-bed dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original application was made in the name of Mr & Mrs Thomas. However, the appeal is made in the name of Mr Shaun Thomas only, which is reflected in the banner heading above, and the appeal proceeds on this basis.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. The appeal site is within a wider primarily residential area characterised by terraces and pairs of one and two storey dwellings in linear and staggered rows and groups, in planned layouts with areas of communal greenspace, pathways and parking. The development pattern, plot sizes and arrangements vary, but there are distinct groups of dwellings in planned layouts and areas, with common characteristics. The groupings, layouts, their relationships and juxtapositions are notable characteristics of the area.
5. The appeal site forms part of No 135 Hereward Close (No 135) which has a significantly larger garden than those in its vicinity. At my visit it had been delineated by fencing and metal barriers, however, some of the delineation is low level, it appears easily reversable, and the area can still function and is still viewed as one garden.
6. No 135 forms part of a staggered group, and can be seen as part of a staggered row of dwellings with those to its north (Nos 119 – 135). While

those that adjoin it on Homefield Close (Nos 14 – 50) might be considered part of a separate distinct group, together and notwithstanding the recent delineation they form a layout and arrangement characterised as a double row of linear adjoining relatively generous open and verdant gardens with modest outbuildings. This is a distinct and positive characteristic discernible from some two storey properties, the communal parking area on Homefield Close and surrounding footways. No 135's plot size, orientation and small outbuilding it is in keeping with and contributes to the character and appearance of the area.

7. The proposal would create what would appear as a perpendicular detached dwelling. It would be of a position and scale that would appear strident, abruptly disrupting, and significantly at odds with the layout and pattern of development immediately surrounding it and to its north. The scale of the proposed dwelling would urbanise the plot, being significantly greater than and harmfully at odds with the smaller ancillary buildings to its side and rear.
8. The dwelling scale, massing, form, and layout means much of the boundary would be strongly defined along most of the length of three of its sides by the walled dwelling elevations with some very small gaps to the boundary, lacking relief from the surrounds. It would have a comparatively limited garden area and from the public realm to the south and some properties to its east, it would be viewed against the rear façade of No 133 as having a comparatively modest gap. For these reasons, whether it were to be classed as backland or infill development, the proposal would appear cramped in relation to its surrounds.
9. The proposed development would appear significantly out of keeping with layouts to the north which, as a matter of planning judgement and by virtue of proximity, forms the visual context in which it would primarily be viewed and most closely related.
10. I have had regard to the appellant's observations of characteristics of groups of dwellings in surrounding areas. A number are staggered, have smaller plot and garden sizes than this proposal. Some are set within communal green spaces and there are some back-to-side relationships. This new dwelling would be viewed foremost as a single detached dwelling and not part of the well-defined staggered groupings. Given their distance, the layout, intervening landscaping, many of the groups I am referred to form part of the wider context. As it would be within one of the linear gardens and is surrounded on three sides by the linear pattern of development of Nos 119 – 135, and Nos 14 – 50 it is most closely viewed in this context. Therefore, the wider layouts do not change how the appeal site is primarily viewed and the resultant harm.
11. I am not satisfied that suitably worded planning conditions in respect of matters such as landscape planting, boundary treatments or materials could mitigate the harm. The harm would be visible from neighbouring properties to the north and east, the communal parking area and some of the footways around the south, south east and south west of the site. While the new dwelling might be of a height, scale, plot and garden size, roof form, materials and relationship to the parking area that would not be out of keeping with others in the area, this does not mitigate or overcome the harm.
12. For the reasons set out above the proposal would be significantly harmful to the character and appearance of the area. It would conflict with Policies HQ/1 and H/16 of the South Cambridgeshire Local Plan (2018) (the LP). In combination and amongst other things these require that development is of a

high-quality design that preserves, enhances and ensures there is no significant harm to the character and appearance of its context, be place-responsive, and be compatible with its location in respect of its form, siting, mass and design.

Other Matters

13. The Council's report states the north west of the site is at a 1 in 200 and 1 in 33 risk of surface water flooding, and the drainage engineer is of the view a Flood Risk Assessment is necessary. I have sought the Council's and appellant's views in respect of surface water flood risk and whether the sequential test referenced in paragraphs 159 and 161 – 163 of the National Planning Policy Framework (2021) needs to be passed. However, as I am dismissing the appeal for other substantive reasons, I have not considered these matters further.

Planning Balance

14. There would be a modest economic benefit during construction, and once complete a small on-going spend in the local economy and support to local services and facilities. The Council advises it can demonstrate a housing land supply of 5 years, and there is no substantive evidence to dispute this. The contribution of a single dwelling to supply is small. The proposal could secure further landscaping and a net gain in biodiversity. However, there is nothing to suggest this would be anything other than a limited increase. Overall, the benefits of the proposal attract limited weight in favour of the scheme.
15. Were I to agree the proposed development is, or subject to the imposition of suitably worded planning conditions, could be made compliant with policies in respect of matters such as its location, accessibility, the living conditions of future and neighbouring occupiers, construction management, highway and parking standards, drainage, flood risk, renewable energy and resource efficient design measures and tree protection measures, these would be neutral matters in the planning balance.
16. Overall, the policy compliance and benefits of the development attract limited weight in favour of the scheme. However, the proposal would be significantly harmful to the character and appearance of the area, which is such that it attracts significant weight against the scheme. Therefore, the harm from the proposed development outweighs its policy compliance and benefits.

Conclusion

17. The proposed development would be contrary to the development plan read as a whole. There are no material considerations, including the policies of the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR