



Appeal Decision

Site visit made on 22 August 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2023

Appeal Ref: APP/W0530/W/23/3317849

17 South Road, Impington, Cambridgeshire, CB24 9PB

- 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 Kirkup against the decision of South Cambridgeshire District Council.
 - The application Ref 22/04719/FUL, dated 26 October 2022, was refused by notice dated 17 January 2023.
 - The development proposed is a new 3 bed dwelling to the side of 17 South Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the surrounding area; and,
 - whether the proposal would comply with national and local planning policy which seeks to steer development away from areas of the highest risk of flooding.

Reasons

Character and appearance

3. The appeal site is within a residential area. It forms part of the side garden of No 17 South Road (No 17), which comprises a well maintained lawned area with some small trees towards the front boundary and sporadic larger trees toward the side boundary with properties in College Road. In addition, there is a large ornamental pond and small timber outhouse towards the rear boundary and substantial hedges bound the site to the front and rear.
4. There is a mix of house type and design within the surrounding area, including detached and semi-detached, single storey/bungalows and two-storey properties. There is variety in roof designs, including dormer windows and, also use of render on some dwellings in the area.
5. Notwithstanding No 17 and the immediate properties to the side; Nos 20 and 22 College Road, most of the existing dwellings in the surrounding area are set within large, long rear garden plots. In addition, dwelling plots set toward the corner of road junctions in this part of the area, have notably long rear gardens. This creates large gaps between properties, with significant lengths of boundary hedgerow, which form prominent features within the street scene.

The existing appeal site and its front boundary hedgerow therefore positively contributes to this pleasant characteristic of the surrounding area.

6. As a result of closing the gap and having a much shorter distance between the side of the proposed dwelling and rear elevations of neighbouring properties in College Road, together with the proposed building to plot ratio, the proposed dwelling would appear overly large within its plot, creating a cramped form of development. It would therefore result in the overdevelopment of the site, harmful to the character and appearance of the surrounding area.
7. Whilst the design of the proposed detached dormer bungalow, with a pitched roof, dormers and brick and render walls, would incorporate design features found in the local area, this would not overcome the harm I have identified in terms of its scale and site context.
8. In view of the above, the proposed development would harm the character and appearance of the surrounding area, in conflict with Policies HQ/1 and H/16 of the South Cambridgeshire Local Plan (SCLP), the South Cambridgeshire District Design Guide and, the Histon and Impington Design Guide (HIDG), which require new development to respect the character of the local area and respond to its context in terms of scale, density, mass and form (amongst other criteria), delivering a strong visual relationship between buildings that comfortably define and enclose streets. The HIDG furthermore requires infill development to adopt the scale, density, and grain of the context of an area, which the proposal would not achieve. Also, the proposed development would conflict with Policy HIM01 of the Histon and Impington Neighbourhood Plan, as it would result in over-development and have an adverse impact on the character of the street scene.

Flood risk

9. The appeal site lies within Flood Zone 1, which is at low risk from river flooding. However, the site is within an area at high risk from surface water flooding.
10. The National Planning Policy Framework (the Framework) advises inappropriate development should be avoided in areas at risk of flooding by directing development away from areas at highest risk.
11. The Framework at footnote 55 of chapter 14 and, the Planning Practice Guidance (PPG) sets out that in Flood Zone 1 a site-specific Flood Risk Assessment (FRA) should accompany all proposals (amongst other circumstances) which may be subject to other sources of flooding other than rivers and the sea, where its development would introduce a more vulnerable use. Annex 3 of the Framework sets out that buildings used for dwelling houses are classed as more vulnerable.
12. Policy CC/9 of the SCLP and the Cambridgeshire Flood and Water Supplementary Planning Document (SPD) reaffirm the requirements for a FRA in respect of development in Flood Zone 1 in areas of significant flood risk from sources other than fluvial or tidal, such as surface water. Policy CC/9 of the SCLP furthermore states that to minimise flood risk, development will only be permitted where it is demonstrated through the sequential and exception tests, the development would be acceptable.

13. No site-specific FRA has been submitted and therefore it has not been demonstrated how flood risk would be managed now and over the proposed developments lifetime. In view of this, the proposal would not comply with national and local planning policy which seeks to steer development away from areas of the highest risk of flooding, in conflict with the Framework, PPG, Policy CC/9 of the SCLP and the SPD.

Other Matters

14. Parties have referred to a previously refused planning application for a dwelling at the site, although I have not received full details, including the plans of this previous application. Therefore, I am unable to fully compare this with the proposed development and can only give limited regard to it. I have considered the appeal proposal based on its individual merits and the evidence before me and have found harm, as set out above.
15. In considering the effect on the living conditions of neighbouring occupiers, the proposed dwelling would be set sufficient distance away from the rear of Nos 20 and 22 College Road to avoid unacceptable loss of outlook. Also, no windows are proposed in the side elevations of the dwelling and therefore there would be no overlooking caused to the neighbouring gardens and dwellings along College Road.
16. The appeal site is a garden of reasonable size and therefore it may become a burden to maintain by its occupiers. However, it is not uncommon that larger gardens have greater maintenance requirements and so this would not outweigh the harm caused by the proposal.
17. I appreciate that the proposed dwelling would be built to modern standards and energy efficient, including incorporation of solar panels and air source heat pump, however this would not outweigh the harm I have identified above in relation to the character and appearance of the area and flood risk.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

C Billings
INSPECTOR