



Appeal Decision

Site visit made on 1 November 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal Ref: APP/D0515/W/23/3321503

La Chaumiere, Colletts Bridge Lane, Elm, Cambridgeshire PE14 0EF

- 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 Mr Darren Hyde against the decision of Fenland District Council.
 - The application Ref F/YR22/1239/O, dated 20 October 2022, was refused by notice dated 10 February 2023.
 - The development proposed is a dwelling including access and highways improvement works to create adopted turning head.
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Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made by Fenland District Council against Mr Darren Hyde. This application is the subject of a separate decision.

Preliminary Matters

3. The appeal scheme relates to an outline proposal, with access to be considered at this stage, and with all other matters reserved for future consideration. I have considered the appeal accordingly. A plan has been submitted as part of the appeal which indicates how a dwelling could be accommodated on the site. I have taken this plan into account for indicative purposes only.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the appeal site would be a suitable location for the proposed development, having regard to local and national policy.

Reasons

Character and appearance

5. The area is rural with the developed footprint of the village largely concentrated on Colletts Bridge Lane (CBL). While the east side of CBL has a continuous built frontage, the west side is predominantly open to the surrounding countryside with a handful of sporadic dwellings. Open fields run directly up to the highway for much of its length.

6. The appeal site is located on the west of CBL, between two detached properties and comprises an area of rough grassland. Although in close proximity to the dwellings on the east of CBL and positioned between existing dwellings, the appeal site relates more to the surrounding countryside than the built-up area of the settlement and contributes significantly to the open, rural, agricultural character of the area.
7. Whilst gaps within the built form would remain, the proposal would introduce an additional dwelling and would consolidate the sporadic development currently found to the west of CBL. When viewed in combination with the neighbouring dwellings, they would appear incongruous with the existing form of the village. Although the open countryside beyond the site would still be visible between the dwellings, the proposal would have an enclosing effect on the northern section of CBL, harmfully detracting from the open, rural, agricultural character of the area.
8. Consequently, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies LP12 and LP16(d) of the Fenland Local Plan (May 2014) (FLP), where they require development to make a positive contribution to local distinctiveness and character as well as not adversely impacting on the street scene, settlement pattern or the landscape character of the area. The proposal would also conflict with Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (July 2014) where it requires the character of the landscape, local built environment and settlement pattern are considered in an effort to improve and reinforce positive features of local identity.

Location

9. FLP Policy LP3 outlines the spatial strategy for the distribution of housing development within the district, with development largely focussed on urban areas. The policy aims to promote sustainable growth, by steering most new development to those larger places that offer the best access to jobs, services and facilities locally, helping reduce the need to travel, making the best use of existing infrastructure and previously developed land in built up areas.
10. Although the proposal would not be isolated, it would be located some distance away from services or facilities required for day-to-day living and would not be accessible via public transport. While there are a number of services and facilities within the villages of Elm and Emneth, there are no dedicated footpaths, cycle lanes or streetlights for much of the routes. Further, the routes are primarily at the national speed limit and as such are not particularly desirable routes, especially in the winter months. Accordingly, I am not persuaded that a range of services and facilities would be accessible by transport modes other than car.
11. Nevertheless, the Framework promotes residential development where it will enhance or maintain the vitality of rural communities and acknowledges that where there are groups of smaller settlements, development in one village may support services in a village nearby. Whilst the occupiers would have a higher dependency on private transport for their day-to-day activities, given the rural nature of the district, highlighted by a previous inspector¹, and the proximity of other larger towns with ample services and employment opportunities, these

¹ Application Reference: APP/D0515/W/20/3262885

journeys would not contribute significantly to an increased reliance on private transport within the district and the appeal site would be sufficiently accessible to jobs, services, and facilities locally.

12. Colletts Bridge is defined within FLP Policy LP3 as an 'other village'. Within such other villages, residential development will be considered on its merits and will normally be restricted to single dwelling infill sites situated within an otherwise built-up frontage. In defining the existing developed footprint and continuous built-up frontage of the village, FLP Policy LP12 excludes undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement. Further, FLP Policy LP12 stipulates that development should be in a location that is in keeping with the form of the settlement and will not adversely harm its character and appearance.
13. Given the sporadic nature of the development on the west of CBL and the appeal site's affinity with the open countryside beyond, the proposal would not constitute a single dwelling infill site situated within an otherwise built-up frontage and as described above, the proposal would harm the character and appearance of the area. Moreover, there is no substantiated evidence to suggest that a normal approach should not be taken in this case.
14. Consequently, I conclude that the appeal site would not be a suitable location for the proposed development, having regard to local and national policy and that the proposal would conflict with Policies LP3 and LP12 of the FLP.

Other Matters

15. I acknowledge the planning history of the site, including the Council's previous position with regards to the principle of residential development at the appeal site². However, this does not overcome my concerns on the location of the proposal and is not a reason in itself to allow for development which would conflict with the FLP.
16. I note the emerging allocation for 10 dwellings in Colletts Bridge. However, I have not been provided with the full details of this allocation. Further, I have little information to suggest when the plan is likely to be adopted, if any policies have been modified, or if there are any unresolved objections. In addition, the existence of a housing allocation within Colletts Bridge does not alleviate my concerns with regards to the character and appearance of the area.
17. My attention has been drawn to a development on Gosmoor Lane which has recently gained planning permission³. However, there are fundamental differences with the appeal proposal, including the adjacencies and character of the site. As such, the context would differ significantly to that of the scheme before me, and so it does not lead me to a different view in this case.
18. The proposal would provide a turning head on site. Whilst I note the comments of the Highway Authority and the FDC Refuse Team, even if the turning head was not adopted, it would offer the local residents' space to turn or pass other vehicles. While this would provide a limited benefit, it would not outweigh the harm identified above. There have been no objections from any technical

² Application Reference: F/YR14/0616/F

³ Application Reference: F/YR21/1494/F

consultees apart from the Highway Authority and there are no concerns over the indicative scale or design of the development. However, these are neutral matters which neither weigh in favour of, or against the proposal.

Conclusion

- 19.** For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR