

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 10th June 2009
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APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION: SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION

Purpose

1. To highlight recent Appeal decisions of interest. These form part of the more extensive Appeals report, which is now only available on the Council's website and in the Weekly Bulletin.

Summaries

Mr H Crouch – Erection of dwelling – Land adj. The Black Horse, 6 High Street, Rampton – Appeal dismissed

2. The main issues in this appeal were whether the proposal would preserve or enhance the character or appearance of the Rampton Conservation Area; the quality of the living conditions of the occupiers of the proposed dwelling; and the effect of the proposal on the viability of the public house as regards car parking and loss of curtilage land.
3. The inspector found that the appeal site reflects the character of this part of the conservation area. This includes a mature tree that is clearly in view from the road. The site also allows views from the road across the gravel car park into the public house garden at the rear, which adds interest to the street scene within the conservation area. The proposal would result in the loss of the space between buildings and the tree and this would detract from the character and appearance of the conservation area.
4. In the warmer months activity in the garden of the Black Horse, both during the day and in the evenings, would be likely to result in unacceptable levels of noise and disturbance to the occupiers of the proposal. This would occur in both the house and its back garden. In addition the house would be close to the kitchen and service area of the public house. The inspector commented that at his site visit he could clearly hear the noise from freezers, the central heating boiler and kitchen extractor fan.
5. The Council drew attention to the likely importance of car borne customers to the business and indicated that 18 parking spaces should be provided to comply with adopted standards. The proposal would result in the loss of 4-5 spaces leaving the public house with 5-6 spaces. Whilst the remaining on-site provision would fall well short of the adopted standard, the inspector considered that the lost spaces could be accommodated by on road parking in an area where there are no parking restrictions. The public house garden contains children's play equipment and picnic tables, which would be likely to make it an attractive area for families.

5. The appellant had indicated that the tenants of the Black Horse are unable to achieve the turnover necessary to enable their business to survive and that the capital raised from the development of the appeal site would support the public house. However, there was no indication of how this would be achieved. The expert report prepared for the Council, which was not challenged by the appellant, indicated that even with a reduced site the public house would be viable, although the loss of the most pleasant part of the garden area and the reduced number of convenient off-road parking spaces would make the Black Horse less attractive, especially to families. Nonetheless, the inspector saw no reasoned analysis to indicate that the proposal would threaten the viability, or the loss, of the public house.
6. Thus while the future viability of the public house is unlikely to be threatened, the proposal would be harmful to the conservation area and the living conditions of future occupants.