

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4th November 2009

AUTHOR/S: Executive Director (Operational Services)/Corporate
Manager (Planning and Sustainable Communities)

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

Rowe Build & Development Ltd – Single-storey dwelling – Land r/o 9-17 Grange Road, Ickleton – Appeal allowed.

2. This application followed an earlier proposal for a larger dwelling that was refused planning permission and dismissed at appeal. The main issue was the effect of the proposal on the character and appearance of this part of the village. The appeal was conducted by way of a hearing attended by a representative of the Parish Council. Cllr Williams attended the inspector's site visit
3. The inspector noted that the height, width and depth of the building had been significantly reduced. He found that the site has an overall enclosed appearance being bounded on all sides by close-boarded fences, hedges and trees. While the development along Grange Road is linear in form with an absence of development in depth, he saw that the proposal would be barely visible from any public viewpoint. Given its low height, it would only be clearly seen at eaves level and above from the first floor bedroom windows of the frontage cottages.
4. As such, it would be sensitive to its surroundings, whilst not significantly reducing the open nature of the landscape that contributes to the rural character of this edge of village location.
5. Other concerns raised by local residents and the parish councillor included the narrow width of the access road, especially with regard to emergency vehicles. In the absence of any contrary evidence from the Council or the local highway authority, the access was considered appropriate.
6. The appeal was allowed subject to the payment of an open space contribution and conditions regarding external materials, restricting parking rights to protect the character of the area, landscaping, provision of a turning area and ecological matters.

Mr & Mrs Sharpe – Erection of dwelling and reconfiguration of existing car parking area – Land adjacent to 1 Church Street, Little Shelford – Appeal dismissed

7. The appeal site forms part of a car park connected with an existing restaurant. Planning permission for a different scheme had previously been refused and dismissed at appeal. The main issues in this appeal were the impact on the village conservation area and the provision of open space infrastructure.
8. The inspector found that the proposal would be of a design quality and materials sympathetic to its conservation area setting. It would be compatible with neighbouring buildings. While it would result in the loss of a gap in the street scene, the existing attractive landscaped area would be retained. The inspector acknowledged her view on the importance of the gap conflicted with the views of an earlier inspector, but she was satisfied that the new dwelling would not be an unwelcome or dominant intrusion. The proposal was therefore acceptable on this basis.
9. The inspector accepted the need for an open space contribution. Nonetheless, she had concerns about the wording of the proposed unilateral undertaking and had not been provided with an authenticated and sealed copy. She therefore considered there was an insufficient mechanism for securing the contribution. The appeal was dismissed on this basis.
10. The Council's Legal officer has noted the disputed wording of the undertaking and has agreed it can be changed to provide certainty and prevent a reoccurrence in the future. The appellant is likely to resubmit the application with an appropriate legal undertaking.