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# Appeal Decision

Site visit made on 10 January 2012

**by Nigel Burrows BA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 30 January 2012**

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**Appeal Ref: APP/W0530/A/11/2160123**

**16 Teversham Road, Fulbourn, Cambridge, CB21 5EB**

- 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 R & T Hogger Builders Ltd against the decision of South Cambridgeshire District Council.
  - The application Ref S/1207/11, dated 1 June 2011, was refused by notice dated 8 August 2011.
  - The development proposed is described as 'Erection of four dwellings (following demolition of existing dwelling).'
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## Decision

1. For the reasons given below, I dismiss the appeal.

## Main Issues

2. There are three main issues in this appeal. The first is the implications of the development for the character and appearance of the area. The second is its effect on the living conditions of neighbouring residents. The third is whether an element of affordable housing should be provided and, if so, what form this provision should take.

## Reasons

3. The appeal site extends to about 0.249 ha and incorporates the curtilage of 16 Teversham Road and part of the former garden of 18 Teversham Road. These properties lie on the northeast side of Teversham Road, just to the south of the railway line. There is no dispute the site lies within the settlement boundary of Fulbourn.
4. The proposal involves the demolition of 16 Teversham Road and the erection of 4 houses served by an access proposed between Plot 1 on the site frontage and 18 Teversham Road. The other 3 plots would occupy the main body of the site to the rear.

### *Issue 1: Character and Appearance*

5. Paragraphs 16, 46 and 48 of Planning Policy Statement 3 'Housing' (PPS 3) make it clear that the distinctive character of an area is an important consideration when considering the acceptability of new housing. Development proposals should be well integrated with and complement neighbouring buildings and the local area.
6. The northeast side of Teversham Road is mainly characterised by frontage development, which includes houses and bungalows of relatively modest scale, albeit some of them have generous plots including unusually long rear gardens. These properties are generally set well back behind the drainage ditch along their frontages. The pleasant setting of these properties is enhanced by the soft landscaping within their gardens. Teversham Road runs into open countryside beyond the railway line to the north of the site. The Council indicates this countryside lies within the Green Belt.

7. The commercial premises to the rear of the main body of the appeal site are accessed from Breckenwood Road, which follows the railway line eastwards from Teversham Road and it also serves a bungalow on a plot to the rear of 20 to 24 Teversham Road.
8. The development on the southwest side of Teversham Road includes housing along the road frontage, with comprehensive housing development beyond served by estate roads. However, the development on the northeast side of Teversham Road is more loosely grained and tends to convey the impression of a ribbon of housing extending from the village towards open countryside. In this respect, it has an almost semi-rural character, which distinguishes it from the higher density housing to the southwest.
9. The appellant's stance is the proposal would not be out of keeping with the character of the area as there is development in depth on the northeast side of Teversham Road, including the commercial premises to the rear of the site. However, the site is visually separated from the commercial premises to the rear by the intervening screen of trees and vegetation. I appreciate the site also extends to the boundary with the bungalow to the rear of 20 to 24 Teversham Road, however, this has a frontage to Breckenwood Road and it could not reasonably be construed as an example of development in depth.
10. The erection of 3 houses to the rear of the properties in Teversham Road would not have any particular visual or physical affinity with the existing pattern of frontage development. In effect, the scheme involves the piecemeal development of some of the existing long gardens which contribute to the distinctive, almost semi-rural character of the locality. In terms of its design and configuration, the scheme amounts to a small enclave of higher density housing that would be out of keeping with the more loose-grained character of the immediate locality and it would be inappropriate to its context.
11. I conclude the scheme would harm the character and appearance of the area, contrary to the aims of the relevant development plan policies including DP/2 of the Council's Development Control Policies DPD<sup>1</sup>. This policy requires all development to be of high quality design and seeks to ensure that proposals preserve or enhance the character of the local area and they respond to local context and respect local distinctiveness.

*Issue 2: Living Conditions of Neighbouring Residents*

12. Policy DP/3 of the Council's Development Control Policies DPD also sets out criteria for development and indicates, amongst other things, planning permission will not be granted where the proposal would have an unacceptable impact on residential amenity.
13. The scheme would result in the introduction of 3 dwellings into an area that is currently open and which contributes to the almost semi-rural nature of the locality. Given the number of units involved and their comparatively tight knit arrangement, the proposal would inevitably lead to a significant increase in residential activity here, which would intrude on the relatively tranquil, secluded setting of the neighbouring properties. Moreover, the introduction of parking, manoeuvring and vehicle movements close to some of the neighbouring gardens would be intrusive to the occupiers of these properties and the associated noise and disturbance would detract from their living conditions. The occupiers of the bungalow in Breckenwood Road are also likely to feel hemmed in by the relatively close proximity of the substantial house proposed upon plot 2, bearing in mind its overall bulk, massing and close proximity to the boundary.
14. I conclude the development would intrude on the outlook and seclusion of the neighbouring residents to the extent that it would unacceptably harm their living conditions. The proposal conflicts with the underlying objectives of policy DP/3.

*Issue 3: Affordable Housing Provision*

15. Policy HG/3 of the Council's Development Control Policies DPD deals with affordable housing provision. In this instance, the Council requires the provision of 1 affordable

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<sup>1</sup> Adopted in 2007 as part of South Cambridgeshire District Council's Local Development Framework

unit, preferably on the appeal site. The appellant's Design and Access Statement indicates that initial contact with Registered Providers of Social Housing suggests it is unlikely they would be interested in a single unit in this location. The appellant is therefore prepared to provide a commuted sum towards off-site provision. The Council's stance is that insufficient evidence has been provided to show that a contribution towards off-site provision is the most viable option, or to warrant an investigation of the site value to ascertain what financial contribution should be sought.

16. Be that as it may, events appear to have moved on. The appellant has provided a unilateral planning obligation (dated 16 January 2012) which, amongst other things, undertakes to provide one unit of affordable housing; if the Council or a registered provider are not willing to accept the transfer of a single unit then a commuted sum would be provided, calculated in accordance with the Council's adopted policy. I am therefore satisfied that adequate provision would be made for affordable housing.

### **Conclusions**

17. I have found in the appellant's favour on the third main issue. However, my overall conclusion is that this particular consideration is outweighed by the adverse impact the development would have upon the character and appearance of the area and the living conditions of the neighbouring residents. I therefore conclude the appeal must fail.
18. The appellant appears to derive support from the draft National Planning Policy Framework (NPPF), but as this is still in draft form it might be subject to change. This document can only be given limited weight in the context of this appeal. Whilst I have taken into account the draft NPPF and all the other matters raised, including the unilateral planning obligation (which also addresses matters such as public open space contribution, community infrastructure contribution, refuse bins and monitoring), I find they do not alter or outweigh the main considerations that have led to my decision.

*Nigel Burrows*

INSPECTOR