

## PLANNING APPEAL DECISIONS

The Council has received the following Appeal decisions in the last month:

PA Ref	Site/Proposal	Officer Recommendation	Decision Level	Appeal Decision	Main issues
F/YR18/0159/O	Erection of up to 28no dwellings (outline application with matters committed in respect of access) - Land East Of Stow Lane, Wisbech	Refuse	Committee	Dismissed	<ul style="list-style-type: none"> <li>• Effect of the proposed development on the character and appearance of Stow Lane</li> <li>• Affordable housing and infrastructure</li> <li>• Planning Inspector concurred with the LPA assessment of character, although it was noted that this character varied somewhat along its length. Considered that utilising Stow Lane to access development would significantly, and in their judgement, harmfully alter the character and nature of the lane.</li> <li>• Although the road upgrade was limited in length the impacts of the development would be felt along a longer stretch of lane, changing a quiet enclosed country lane to a suburban access road which 'would diminish its attractiveness as a tranquil, rural setting in which to walk and cycle, both for recreation and as a means to access services and facilities'</li> <li>• Although it is recognised that Stow Lane will come under pressure as a consequence of the East Wisbech Strategic Allocation highlights that to satisfy LP7 urban extensions should be planned and implemented in a coordinated way.</li> </ul>

					<ul style="list-style-type: none"> <li>• Whilst the appellant indicated that they were prepared to enter into a legal agreement to fulfil all contribution amounts this did not form part of the appeal and as such there was no mechanism to secure these; as such the Inspector was unable to give weight to any benefits derived from the scheme.</li> <li>• Inspector did not agree that the development of the site in isolation would compromise the aims of the BCP</li> </ul>
F/YR18/0725/O	<p>Erection of up to 2 x dwellings (outline application with all matters reserved) Land south west of Fern House, Swallow Lane, Four Gotes</p>	Refuse	Delegated	Dismissed	<ul style="list-style-type: none"> <li>• The effect of the proposed development on the character and appearance of the area</li> <li>• Whether the proposed development would provide a suitable location for housing, having regard to the accessibility to facilities and services and</li> <li>• The safety of the proposed development with regard to flooding</li> <li>• Planning Inspector concurred that the development '<i>would be at odds with the dispersed nature of development along Swallow Lane and thus detrimental to the prevailing character and appearance of the area</i>' and agreed that 'future occupiers of the proposed dwellings would be reliant on private motor vehicles'</li> </ul>

					<ul style="list-style-type: none"> <li>• In the absence of a sequential test having been undertaken upheld refusal reason regarding flooding Acknowledged that it had not been demonstrated that a safe and convenient access was available, although noted that this was determinative in the appeal as this was a reserved matter.</li> <li>• Highlighted that even should a 5-year land supply not be available the modest contribution to housing supply would not outweigh the conflict with policy</li> <li>• Did not concur with views of the appellant that the site did not have any other value and dealt with the appeal on its individual merits</li> <li>• Failure of scheme to be considered by committee not a matter for the appeal consideration</li> <li>• Did not consider any health benefits of living in the location would justify development which was in clear conflict with policy</li> </ul>
F/YR18/0907/F	Erection of a 2-storey 3-bed dwelling with integral undercroft garage involving the demolition of existing garage - Land West Of 16 Oakroyd Crescent Wisbech	refused	Delegated	Dismissed	<ul style="list-style-type: none"> <li>• Character and appearance of the area</li> <li>• The living conditions of the occupiers of neighbouring properties, with particular regard to privacy.</li> <li>• Planning Inspector upheld decision with regard to character and amenity as the ' proposed dwelling would therefore</li> </ul>

					<p>be at odds with the other properties on Oakroyd Crescent and disrupt the rhythm of the street frontage.</p> <ul style="list-style-type: none"> <li>• Planning Inspector also endorsed issues of loss of privacy noting that <i>'due to the elevated floor level the potential for and extent of casual overlooking from the ground floor level of the proposed dwelling would be significantly greater than the occupiers of these properties currently experience and would reasonably expect from their existing neighbours'</i>.</li> </ul>
F/YR18/1132/F	Erection of a single-storey 3-bed dwelling and 1.0 metre high (max) brick boundary wall - Land East Of 251 Norwich Road Wisbech	Refuse	Delegated	Allowed	<ul style="list-style-type: none"> <li>• Effect of the proposed development on the character and appearance of the area</li> <li>• Planning Inspector considered that the form of development was consistent with neighbouring properties and that the scheme would contribute to and reinforce the local distinctiveness of the close, whilst maintaining the original concept of the entrance to the close.</li> </ul>
F/YR19/0132/F	Erection of a single-storey side extension and 2-storey extensions to front and rear of existing dwelling - Crisp Farm, Whitemoor Road, March	Refuse	Delegated	Allowed	<ul style="list-style-type: none"> <li>• Effect of the development on the character and appearance of the area</li> <li>• Planning Inspector considered <i>'the addition of a two-storey front extension with its gable end broadly centred on the main part of the dwelling would enhance its overall appearance and would make a positive contribution to the host property'</i> and did not uphold the Officer view that the extension would harm the character of the area.</li> </ul>

F/YR19/0237/F	Erection of a 2-storey side extension to existing dwelling - 19 Henry Warby Avenue, Elm	Refuse	Delegated	Dismissed	<ul style="list-style-type: none"> <li>• Effect of the development on the character and appearance of the area and on the living conditions of the occupiers of Nos 12 &amp; 14 Peartree Way with particular regard to outlook and privacy.</li> <li>• Planning Inspector considered that <i>'the overall design of the extension would not complement the host dwelling and would not make a positive contribution to the area or the local environment'</i>.</li> <li>• Planning Inspector did not concur with the view that the scheme would be so overbearing as to warrant refusal.</li> <li>• Similarly Planning Inspector considered that whilst there would be some loss of privacy this was so significant as to warrant refusal.</li> </ul>
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All decisions can be viewed in full at <https://www.fenland.gov.uk/publicaccess/> using the relevant reference number quoted.