

## 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/YR18/0841/O	4 no detached dwellings and associated garages Land west of Magnolia Cottage, Kirkgate, Tydd St Giles	Refused	Delegated	Allowed	<ul style="list-style-type: none"> <li>• Effect on the character and appearance of the site and its surroundings.</li> <li>• Site not considered to be isolated, due to the number of developments around the site considers the area residential.</li> <li>• Dwellings capable of being delivered in linear form so would not be an incongruous feature in the streetscene</li> <li>• Majority of landscaping would be retained which would maintain the existing green and spacious characteristics of Kirkgate</li> <li>• Dwellings would not be a prominent feature in the streetscene</li> <li>• Inspector concluded development would not be detrimental to the character and appearance of the area</li> </ul>

					<ul style="list-style-type: none"> <li>• Considered concerns of interested parties regarding flood risk and concluded no material harm. Also considered highway safety against the backdrop of the safeguarding conditions suggested by the LHA and concluded no detrimental impact on highway safety</li> <li>• Did not consider it to be overdevelopment or precedent and that the site could be development without detriment to residential amenity. With regard to ecology considered all concerns had been addressed</li> </ul>
F/YR18/0877/F	Change of use of land for domestic purposes including the erection of a shed (retrospective) - Land South East Of 34 Chapelfield Road, Guyhirn	Refused	Delegated	Dismissed	<ul style="list-style-type: none"> <li>• The main issues are the effect on the the character and appearance of the area; and the living conditions of the occupiers of No 32 Chapelfield Road, with particular regards to the sense of enclosure, overshadowing and crime</li> <li>• Inspector considered that the design and position of shed would be a clear and visible feature and would appear as an incongruous feature, failing to respect its surroundings and would cause harm to the character of the area</li> </ul>

					<ul style="list-style-type: none"><li>• It was also considered that the shed would create a sense of enclosure for the occupants of No 32. With regards to overshadowing it was also considered that the shed would cause harm.</li><li>• Inspector did not consider that the development would significantly increase levels of crime or fear of crime for occupants of No 32</li><li>• Representations regarding drainage of the shed were considered but it was accepted that the downpipe could be easily repositioned.</li><li>• Inspector concluded that the appeal should be dismissed on the grounds of character and amenity harm.</li></ul>
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ENF/183/17/UW	<p>Change of use of land to a residential use of touring caravans and associated container unit, hardstanding and fence.</p> <p>Land South of junction of New Drove and Bevis Lane, Wisbech St Mary</p>	Enforcement notice served	Delegated	Allowed	<p>Inspector varied wording of notice and quashed the enforcement notice, with the outcome being that planning permission was granted for the development already carried out.</p> <p>The Inspector considered:</p> <ul style="list-style-type: none"> <li>• The site was in suitable location for a traveller site;</li> <li>• No detrimental impact on the countryside; and</li> <li>• Site in Flood Zone 3, but actual flood risk limited and no evidence sites at lower risk of flooding available.</li> </ul>
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F/YR18/0985/F	<p>Erection of 2 x 2-storey 3-bed dwellings with integral garages.</p> <p>Land North East Of 8 Gote Lane Gorefield</p>	Refused	Delegated	Dismissed	<ul style="list-style-type: none"> <li>• The main issues are the effect on the character and appearance of the area; the principle of development and whether it constituted as limited residential infill.</li> <li>• The inspector considered that the site was not in the open countryside due to no settlement boundary and the presence of existing dwellings to the north-east of the site as well as its close proximity to the built form.</li> <li>• The Inspector held that infilling is normally associated with the completion of a substantial built up frontage of several dwellings or at the very least, consolidation of a largely built up area. Rather than how small or large a gap measures. In the Inspectors view the application site did not possess the characteristics of an infill development.</li> <li>• The Inspector considered that by virtue of the proposed development's scale, mass and location that it would be visually intrusive and harm the character and appearance of the local area and landscape.</li> <li>• It was concluded by the Inspector that the appeal should be dismissed on the above grounds.</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.