

Appendix 1 – Analysis of Appeal Decisions since Last Report

Reference	Site and proposal details	Appeal decision	Issues and Inspector's conclusion	Delegated/ Committee (note 2)
13/00856/OUT	Erection of up to 4 dwellings, Builders Yard, Hod Hall Lane, Haddenham	Allowed	<p>At the time of the appeal the Council had had to accept that it did not have a 5 year supply of housing land. The issues considered were:</p> <ul style="list-style-type: none"> • Whether the proposal would represent sustainable development and; • The implications of the proposal for the delivery of accommodation to meet the needs of those from the Gypsy and Traveller community. <p>The Inspector noted that the construction of the houses would benefit the economy, that it would boost local provision of housing; that the location of the site, just outside Haddenham was sustainable and that the environmental impact of the development would be negligible. He therefore concluded that the development would be sustainable.</p> <p>He was also satisfied that the development of the site would not result in any short-term deficiency of Gypsy and Traveller Accommodation.</p> <p>The applicant submitted a cost claim however this was not allowed.</p>	Committee
14/00002/FUL	1.8 m fence along boundary with Mill Lane, Burwell	Allowed	<p>The main issue was the impact upon the character and appearance of the Conservation Area.</p> <p>The Inspector concluded that the proposed fence would reflect the adjoining fence which had been granted retrospective planning permission and that the circumstances were not different.</p>	Delegated

13/00295/FUM	Change of use of land to Mobile Home Park, Land North east of Rijon, Padnall, Littleport	Dismissed	<p>The main issues were:</p> <ul style="list-style-type: none"> • Whether the Council had a 5 year supply of land • The effect of the proposal on the character and appearance of the area • Highway safety. <p>The Inspector, for the purposes of the appeal, concluded that the Council had a 5 year supply of housing land. He found that the development would have an impact upon the open setting of the area and would represent an encroachment into the countryside. He highlighted the proximity to the crossing and the need for widening of The Padnall and observed that the development would prejudice highway safety.</p>	Committee
14/00259/FUL	Demolition of existing outbuilding and replacement with new, Forge Cottage, Lower Road, Stuntley	Dismissed	<p>The main issue was whether the proposed development would preserve the setting of a Listed Building.</p> <p>The Inspector concluded that due to the orientation of the roof the outbuilding would compete with rather than be subservient to the Listed Building.</p>	Delegated
14/00045/OUT	Residential development of 2 No three bedroom semi-detached houses and 2 No one bedroom semi-detached retirement bungalows, land rear of 101 Victoria Street, Littleport	Dismissed	<p>The main issues were:</p> <ul style="list-style-type: none"> • The effect of the proposed development on the character and appearance of the area • Whether the proposed development would represent an efficient use of land • The effect of the proposed development on the safety of users of the highway • Whether the proposed development would be unduly harmful to the living conditions of nearby occupiers with regard to noise and disturbance. <p>The Inspector concluded that the dwellings would appear cramped and incongruous and would not relate to the grain of Victoria Street, that it represented piecemeal development, that visibility could be a problem and that due to the introduction of vehicular movements adjacent to quiet garden land it would be harmful to the living conditions of nearby occupiers.</p>	Delegated

14/00292/FUL	Proposed annex to replace existing outbuilding, 43 Lower End, Swaffham Prior	Dismissed	<p>The main issue was the effect of the proposal on the character and appearance of the area.</p> <p>The Inspector concluded that due to the separation of the “annex” from the host dwelling and because it would be served by a separate access it would be tantamount to the creation of a separate dwelling which would be at odds with the character of the area.</p>	Delegated
13/00670/FUL	Additions and alterations to existing annex to form separate dwelling and erection of garage, land adj 14A The Cotes, Soham	Dismissed	<p>The issues were:</p> <ul style="list-style-type: none"> • Whether the proposal would be appropriate to its location in the context of development plan and national policy relating to new housing, having regard to the character and appearance of the area and the sustainability of the site’s location and • The effect on highway safety. <p>The Inspector noted that the site was outside the development envelope for Soham and that the area had a rural character. He concluded that the development would be harmful to this character. He concluded that the location of the site was unsustainable as it did not have adequate access to services. He did not find the appellant’s personal circumstances compelling. The inspector further noted that the Council was unable to demonstrate a 5 year supply of housing but that the limited benefits in terms of the contribution to the supply of housing and the personal circumstances did not outweigh the adverse impacts. The Inspector did however conclude that the proposal would not have an adverse impact upon highway safety.</p>	Delegated