
Appeal Decision

Site visit made on 25 October 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 07 December 2016

Appeal Ref: APP/W0530/W/16/3154598

Land opposite 41 Main Road, Little Gransden, Cambridge, Cambridgeshire SG19 3DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Valerie Dring (Trustees of WH Bates Deceased) against the decision of South Cambridgeshire District Council.
 - The application Ref S/0962/15/OL, dated 10 April 2015, was refused by notice dated 20 April 2016.
 - The development proposed is an outline application for the erection of two detached dwellings (considering access, all other matters reserved).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal proposal was submitted in outline with the means of access being considered at the outline stage and I have dealt with the appeal on this basis. I also acknowledge that indicative drawings were provided which showed two dwellings to illustrate a possible way of developing the site.

National Planning Policy Background

3. The Council have confirmed that they do not have a five year housing land supply. It follows that, in accordance with paragraph 49 of the National Planning Policy Framework (the Framework), the housing supply policies in the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (DCPDPD) are out of date.
4. Consequently the fourth bullet point of paragraph 14 of the Framework comes into play. This makes it clear that where development plan policies are out of date planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

Main Issue

5. The main issue is whether the proposal would result in a sustainable pattern of development with particular regard to the effect on the character and appearance of the area and the accessibility of services.
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Reasons

6. The appeal site is located at the southern extremities of the village of Little Gransden in an area where there is sporadic development including the residential properties opposite and to the south of the site. The site falls away significantly from the road towards the Little Gransden brook beyond which is undeveloped countryside. The site is currently disused and overgrown. There is a small greenhouse on the site together with some evidence of historical buildings. Given the previous agricultural use of the site, and its current condition, the site cannot be considered to be previously developed land.
7. From the evidence before me, the site lies outside the village framework and, in planning policy terms, is located in the countryside. Policy DP/7 of the DCPDPD and its supporting text outlines that the countryside is protected from gradual encroachment on the edge of villages and to help guard against incremental growth in unsustainable locations. Given the undeveloped nature of the site, the open countryside to the east, together with other undeveloped land in the vicinity, it has a distinctly rural feel to it.
8. The application is supported by indicative drawings which show two detached dwellings located towards the road frontage, but set slightly further back than 40 Main Road to the south of the site. The siting coincides with the higher land level parts of the site and responds to its flood risk constraints. Given the size of the plots shown on the indicative layout plans, the layout of the site would have a spacious rural feel to it. However, the development would still have an urbanising effect on the open rural character of the site and the wider area by extending development along Main Street in an undesirable fashion.
9. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas and indicates that housing should be located where it will enhance, or maintain, the vitality of rural communities. However isolated homes in the countryside should be avoided unless there are special circumstances. In this case, no such circumstances have been advanced.
10. The dwellings would be located adjacent to another dwelling (40 Main Road) and opposite 41, 45, 47, 49 and 51 Main Road. In the physical sense, they would not therefore be isolated from other properties.
11. However, in relation to access to services, Little Gransden has very limited facilities and is classified by the Council in the lowest category of sustainability as an infill village having only a village hall and a public house.
12. Great Gransden, approximately one mile to the north, does have some local facilities. However, the majority of the route between the site and the village is unlit and given the nature of the road and footpath network, including an element of walking on the carriageway, travel on foot would be an unattractive option.
13. I acknowledge that there is a limited bus service, but this would not provide a degree of accessibility which would give a realistic alternative to the private motor vehicle. Therefore, residents of the new dwellings would have to rely heavily on the facilities and services of other larger settlements which would invariably involve regular travel by the private motor vehicle which is the least sustainable mode of transport. Consequently, I considered that the dwellings would be isolated from services and not in a sustainable location.

14. The Council, in their reason for refusal, have also referred to potential harm arising from further development along Main Road should the development be permitted. However, I have dealt with this appeal on its individual merits.
15. My attention has been drawn to two other developments in Little Gransden at The Nook (S/0403/16/FL) and 84 Main Road (S/1897/14/OL). Whilst I am unaware of the full details of these schemes, I note that the The Nook is located towards the centre of Little Gransden, whilst 84 Main Road is located at the northern edge of the village. From the limited evidence before me, in acknowledging the lack of 5 year housing land supply, the Council considered that the harm arising from these developments did not demonstrably outweigh their benefits. Moreover, each case must be decided upon its own merits.
16. For the above reasons, I conclude that the dwellings would not result in a sustainable pattern of development and would lead to unacceptable harm to the rural character and appearance of the area. The proposal would therefore be contrary to the provisions of Policies DP/1 (b and p), DP/2 (1a), DP/3 (2l and 2m) and DP/7 of the DCPDPD which amongst other things seek to protect the character and appearance of the area. This would also be at odds with the Framework which seeks to recognise the intrinsic character of the countryside.

Other matters

17. I have had regard to the effect of the development on the setting of Rose Farmhouse (40 Main Road) which is a grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of this building.
18. In this case, on the basis of the indicative plans, the development would not have any adverse impact on the setting of Rose Farmhouse given the scale of the development proposed and its distance from the building itself. Therefore, I find that the proposal would accord with the conservation aims of the Framework.
19. In relation to flood risk, the site is located partially within Flood Zones 2 and 3. However, in light of further work by the appellant prior to the Council's determination of the application the Environment Agency withdrew their objections to the development. Similarly, the Council have not raised any flood risk issues with the development and I have no reason to disagree.

Planning balance

20. In their reason for refusal the Council mention Policies DP/1, DP/2, DP/3 and 2m) and DP/7 of the DCPDPD. The appellant has also referred to Policy ST/7 from the adopted Core Strategy which relates to Infill villages.
21. A recent court judgement (Cheshire East Borough Council v SoS for CLG and Renew Land Developments Ltd) has made clear that relevant policies for the supply of housing, as mentioned in paragraph 49 of the Framework, include policies that influence the supply of housing by restricting the locations where they may be developed. From this I deduce that Policies DP/1, DP/7 and ST/7 affect the supply of housing, and that therefore they cannot be considered to be up to date. Limited weight can therefore be afforded to any conflict arising with them and the fourth bullet point of paragraph 14 of the Framework comes into play as detailed above.

22. I have found that the proposed development would not result in a sustainable pattern of development due to the harm to the character and appearance of the area and the lack of accessibility to services in conflict with the DCPDPD and the Framework. These factors weigh against allowing the proposed development.
23. In favour of the proposed development are the benefits to social and economic sustainability as a result of the provision of additional dwellings. The lack of harm to the designated heritage asset is a neutral factor in the overall balance.
24. From the evidence before me, it is unclear what the shortfall in the Council's five year housing land supply is. The provision of two dwellings would make some contribution to reducing the deficit. However, the factors identified as weighing against the proposed development in respect of the main issue significantly and demonstrably outweigh the factors in its favour. The proposed development would conflict with the development plan. Given the above, the proposed development cannot therefore be considered to be sustainable development.

Conclusion

25. Taking all matters into consideration, including some support for the development, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR