

Appeal Decision

Site visit made on 28 February 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 28th March 2017

Appeal Ref: APP/W0530/W/16/3162492
19 Westfield, Willingham CB24 5HH

- 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 Mr C Cook against the decision of South Cambridgeshire District Council.
 - The application Ref: S/1611/16/FL, dated 17 June 2016, was refused by notice dated 26 August 2016.
 - The development proposed is two semi-detached 3 bedroomed houses on side garden of existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The decision notice that was issued by the Council does not set out any reasons for refusal and merely specifies the drawings on which the Council's decision was made. However, it is clear from the face of the decision notice that the Council intended to refuse planning permission. The decision notice also states that a delegation report or committee report, setting out the basis of the decision, is available on the Council's website.
3. The planning officer's report sets out two reasons for refusal. The first relates to the suitability of the appeal site for housing with regard to access to shops, services and facilities, whilst the second refers to the effect of the proposed development on the character and appearance of the area. I have therefore considered the appeal on this basis.

Main issues

4. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the appeal site is a suitable location for housing, having regard to access to shops, services, facilities and employment opportunities.

Reasons

Character and appearance

5. Westfield is a short cul-de-sac running perpendicular to Station Road (B1050), the main road which links the villages of Willingham and Longstanton. It
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comprises of two storey, semi-detached, houses that have hipped roofs with a central chimney stack and which are located on substantial plots. Although the architecture of the houses is simple, the street has a strong character derived from the unified appearance of the existing houses and the spacious plots. Within the part of the street where the appeal site is located, the pairs of semi-detached properties are well separated from each other and the large plots, and the hedgerow boundaries to the road that are present on many plots give the street a semi-rural character that is consistent with its location beyond the main built up area of Willingham.

6. The proposed development would erode this spacious appearance due to its proximity to number 19 and the small curtilages that would result. It would also narrow the gap between numbers 18 and 19. In addition, the proposed car hardstanding areas to the front of the proposed dwellings, occupying the greater part of the site frontage would introduce an urbanising feature which would be inconsistent with the small driveway and hardstanding areas that are present at the majority of the other houses in this section of Westfield.
7. The contemporary design of houses with staggered frontages, split pitched roof, and gables facing the highway is not, of itself, inherently objectionable. However, within the context of the street, these design features would appear incongruous and alien alongside the uniform and simple built form of the existing street. As a result the proposed dwellings would not integrate well with the surrounding area and, consequently, be harmful to its appearance on a permanent and lasting basis.
8. I have had regard to the appellant's point that the proposed development would be within the policy guidelines on density. No reference is given to a particular policy in respect of this and I have not been provided with a copy of any policy which sets a minimum density of 40 dwellings per hectare. Minimum densities are no longer a feature of national planning policy, with the National Planning Policy Framework (the Framework) requiring local planning authorities to set out their own approach to housing density to reflect local circumstances. The development plan predates the publication of the Framework and, consequently, I can give little weight to this point.
9. It is also suggested that the proposed development would encourage other properties in the street to develop further houses, which would increase the housing stock. Although the Council does not have a five year supply of housing land, given that I have found that the proposed development would be harmful to the character and appearance of the area, in my view, allowing the appeal would set a precedent for development of other large plots within the street in a similar manner that, cumulatively, would significantly alter the character of the street over time and which would substantially exacerbate this harm.
10. I therefore find that the proposed development would cause harm to the character and appearance of the area. It would be contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (DCP) which seeks a high standard of design that preserves or enhances the character of the local area, and that responds to local context and local distinctiveness.

Suitability of the site as a location for housing

11. The appeal site is beyond the village framework, or settlement boundary, for Willingham. Policy DP/7 of the DCP sets out that outside of urban and village frameworks only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The Council acknowledges that it cannot currently demonstrate a deliverable five year supply of housing land. Paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites. As Policy DP/7 seeks to constrain the development of housing in particular locations, it is a relevant policy for the supply of housing and in the absence of a five year housing land supply cannot be considered up to date.
12. The fact that a relevant policy is not up to date does not mean that it can be disregarded. Rural restraint policies encourage development in existing settlements and help protect the intrinsic value and character of the countryside which is in line with the objectives of sustainable development. Nonetheless, the Council states that it currently has only a 3.7 year supply of deliverable housing land. This is a significant shortfall, and as such only limited weight can be given to Policy DP/7.
13. There are some shops and facilities, including a food shop, in Willingham and there is a similar range of services in Longstanton. Whilst these are not conveniently situated in relation to the appeal site in terms of access on foot, they could be accessed by cycle. The B1050 is a busy main road, however, there is street lighting and a shared footway and cycleway runs alongside the road and continues to both nearby villages. The Council acknowledge that site is not isolated although it does suggest that traffic levels on B1050 would act as a deterrent to cycle journeys. The cycleway is segregated from the carriageway of the road and is lit. I can, therefore, see no evidence that would corroborate the Council's assertion.
14. Whilst the Council state in the planning officer's report that the nearest bus stop to the appeal site is some 1.5 kilometres away, I saw when I visited the site that there is a bus stop located at the junction of Westfield with the B1050. Although no timetable details were displayed at this bus stop, it is nonetheless close to the site and would provide some access to public transport.
15. Consequently, the future occupiers of the proposed development would not necessarily be wholly reliant on private car for access to shops services and employment opportunities, and whilst some car journeys are inevitable these would be short.
16. I note that development of a new settlement known as Northstowe has begun to the south of the appeal site. However, this is some distance from the appeal site and does not have any contiguous boundary with it. I have therefore given little weight to this point.
17. The proposed development would not comply with Policy DP/7. However, in the absence of a deliverable five year housing land supply, this policy can only be given limited weight. The appeal site is located where shops, facilities and employment opportunities could be accessed by a range of transport option

and this is a material consideration that would warrant making a decision that does not accord with Policy DP/7.

18. I therefore conclude that site is a suitable location for housing, having regard to access to shops, services, facilities and employment opportunities. It would comply with the relevant requirements of Policy DP/1 of the DCP which seeks, among other matters, to direct new development to suitable locations, minimise the need to travel and reduce car dependency.

Other matters

19. The appellant suggests that the proposed development could be offered as affordable housing. There is no substantive evidence in respect of the need for affordable housing in this area and no mechanism is proposed to ensure that the development would be delivered as affordable housing. I therefore attach only very limited weight to this point.
20. I have noted the appellant's point that the proposed development would involve the removal of a number of overgrown conifer trees on the boundary with number 18 and that this is supported by the occupier of this property. Whilst this would represent a slight benefit by removing overshadowing of the garden of this property at certain times of the day, it does not, of itself, lead me to a different conclusion on the main issues.

Conclusion

21. Paragraph 49 of the Framework requires that proposals for housing should be considered in the context of the presumption in favour of sustainable development. The proposal would make a very minor contribution to the housing supply in the area and would have modest economic and social benefits through the investment in its construction and provision of additional housing. Although I have found that the appeal site is a suitable location for housing in respect of access to shops, facilities and employment opportunities, nevertheless, there would be clear environmental harm through the permanent and lasting harm that the development would cause to the character and appearance of the area. This harm would significantly and demonstrably outweigh the small scale benefits, and the proposal would therefore not constitute sustainable development.
22. I have found that the design and siting of the development would cause permanent and lasting harm to the character and appearance of the area. The proposal would therefore conflict with Policy DP/2 of the DCP. In my view this is an important matter, to the extent that the proposal should be regarded as being in conflict with the development plan as a whole, notwithstanding compliance with other policies which are referred to above
23. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR