

Appeal Decision

Site visit made on 18 April 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 15 May 2017

Appeal Ref: APP/W0530/W/16/3163979

6 New Road, Great Chishill, Cambridgeshire SG8 8ST

- 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 Neil Campbell against the decision of South Cambridgeshire District Council.
 - The application Ref S/3096/15/FL, dated 6 December 2015, was refused by notice dated 19 August 2016.
 - The development proposed is erection of a new single storey dwelling and garage to the rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the proposal would represent a suitable site for housing development having regard to principles of sustainable development.

Reasons

Character and appearance of the area

3. The appeal site forms part of the garden area at the rear of No. 6 New Road (No. 6), a detached bungalow with a detached garage and outbuildings at the rear of the property. It forms part of a linear development of residential properties running along the north-eastern side of New Road on the edge of the village within a countryside location, typically characterised by large detached bungalows set back from the road in spacious plots. It is located outside the Great Chishill Conservation Area (CA) situated adjacent to the south-eastern boundary of the site. A single detached property at No. 14 is set back behind the properties and is served by a separate vehicular access off New Road.
 4. To the north-west and south-east are the garden areas and the outbuildings associated with the adjacent properties. Where outbuildings and other structures exist behind the residential properties, these are very low, small in scale, clearly subsidiary, and have little impact upon the sense of space and openness in the area. This gives the area a strong unifying character and appearance, which is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens and the open
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countryside. The topography of the site slopes away from the existing dwelling towards the open fields at the rear.

5. The proposal would involve the demolition of the existing garage and outbuildings at the rear of no. 6 and the erection of a single storey dwelling. It would comprise of two linear blocks with dual pitched roofs connected by a small flat roofed linked building with vehicular access at the side of No. 6. The proposal would be of a similar scale and design to the existing dwellings in the area. A new garage would also be provided for No. 6 at the rear of the property.
6. Given the scale of the development, it would represent a significant shift of the built up development beyond the edge of the village. The appeal site, together with the adjoining fields, provides a significant contribution to the visual quality and the openness of the area. It adds substantially to the character and appearance of this part of the village and provides an important contribution to the setting of the village and the adjacent CA.
7. Moreover, the siting itself, with the dwelling situated behind the existing dwellings at the front would create a backland form of development. This would introduce an uncharacteristic layout into the street scene. Paragraph 60 of the National Planning Policy Framework (the Framework) states that it is proper to promote or reinforce local distinctiveness. In this case, the siting and layout of the proposed development would not amount to a subservient form of development in this backland location and would fail to promote or reinforce the distinctive characteristics of the area. Such positioning would compromise the sense of space and openness and would harm rather than positively contribute to the character and appearance of the area.
8. The consequential harm would not in my view be sufficiently resolved by the limited effect of the single storey form of the proposed dwelling on the street scene. In any case, the site is viewed from the rear of a number of surrounding properties. As such, irrespective of the design approach, I consider the development would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the area.
9. I have considered the appellant's statement that the site layout and the position of the building has been carefully considered in order to maximise the distances from the adjacent properties and minimise any impacts on adjacent dwellings and the area. I note the appellant's arguments regarding the lower site levels and proposed position of the dwelling in line with the adjacent property at No. 14 on the site of the existing garage and outbuildings within the residential curtilage. However, whilst these features together with the boundary treatment would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
10. I have noted the other developments in the area drawn to my attention by the appellant. The dwelling at no. 14 has different development characteristics to the appeal scheme being built off a separate access to the properties at the front and is unrepresentative of the overall character and appearance of the area. The properties on Heydon Road are on a different street and have different locational characteristics. On the basis of the limited evidence provided I am not convinced that their circumstances are compellingly similar to the appeal proposal. I therefore accord them limited weight as precedents in this case.

11. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The development conflicts with Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (DCP). These policies, amongst other things, seek to ensure that all new development is of a high quality design that preserves or enhances the character of the area, respects the local context and local distinctiveness of the area and is compatible with its location in terms of scale, form siting and design. In addition, it would not accord with the aims of the Framework that development should seek to secure a high quality of design (paragraph 17); to respect the local character (paragraph 58); and to promote or reinforce local distinctiveness (paragraph 60).

Sustainable development

12. The Council's Development Strategy is set out in Policy ST/2 of the South Cambridgeshire Local Development Framework Core Strategy Development Plan Document 2007 (CS) and seeks to direct most housing development to the district's larger settlements and lesser amounts to the villages in the rural areas. Great Chishill is identified as an infill village in Policy ST/7 of the CS, generally amongst the smallest villages in the district, wherein residential development is restricted to small scale infill and redevelopment within the village framework.
13. The appeal site would be located outside the village framework of Great Chishill, wherein Policy DP/7 of the DCP states only development for agriculture, horticulture, outdoor recreation and other uses that need to be located in the countryside will be permitted. The policy reflects the aims of the Framework, which seeks to protect the countryside from unnecessary development and to resist isolated new dwellings in the countryside. No evidence has been submitted that the proposal would fall within any of the specified categories of development that would be appropriate in this location.
14. The Framework also states that new residential development is most appropriate in locations where there is access to alternative modes of transport other than the private car (paragraph 30) and where journey lengths to services and opportunities for employment can be minimised (paragraph 37). These aims are reflected in Policy DP/1 of the DCP which seeks development that is consistent with the principles of sustainable development in terms of its location, scale and form, to reduce car dependency and minimises the need to travel.
15. Great Chishill has a lack of local services and facilities. This would, therefore, necessitate the need to travel for day to day services and facilities to other nearby villages and towns. These settlements are a reasonable distance away and are not readily accessible by safe public footpaths and based on the evidence before me, the village has poor public transport accessibility. Therefore, the appeal site would, in my judgment, be sufficiently isolated in this rural location such that the future occupiers of the proposed development would be reliant on the use of the car to reach day to day services, facilities and employment elsewhere.
16. Consequently, it follows that the principle of housing development on the appeal site would be contrary to Policies ST/2 and ST/7 of the CS and Policies DP/1 and DP/7 of the DCP.

17. However, the Council acknowledges it cannot identify a five year supply of deliverable sites. Paragraph 49 of the Framework states that housing developments should be considered in the context of the presumption in favour of sustainable development. It goes on to state that relevant policies for the supply of housing cannot be considered up to date if the local planning authority cannot demonstrate such a five year supply. Consequently, the housing supply Policies ST/2 and ST/7 of the CS and Policy DP/7 of the DCP cannot be considered up to date. I therefore agree with the appellant that the Council's Refusal Reason 1 is not justified and that the proposed development should be considered in the context of Paragraph 14 of the Framework.
18. Paragraph 14 of the Framework sets out the presumption in favour of sustainable development. For decision making this means that where the development plan is absent, silent or relevant policies are out of date, planning permission will be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate that development should be restricted. Sustainable development is identified as having social, economic and environmental roles. Policy DP/1 of the DCP in line with the Framework identifies how decisions should be consistent with the principles of sustainable development.
19. Notwithstanding that the site falls outside the village framework, the appellant argues that the proposal would constitute a sustainable form of development as it would fall below the maximum size threshold of two dwellings for infill villages set out in Policy ST/7 of the CS and would be situated adjacent to the defined village framework. However, for the reasons set out above, this policy is considered out of date and as such are matters to which I can attach only limited weight in making my decision.
20. It is accepted that the proposal would provide some social and economic benefits through contributing to the mix and supply of housing in the village. However, a single dwelling would make a limited contribution to the vitality of this rural community and, more generally, to the housing stock in the district. While I note the appellant's view that the scheme's design and layout would amount to environmental benefits, I have found above that taken overall the development would harm the area's character and appearance. This harm would conflict with the environmental dimension of sustainable development and would be sufficient to significantly and demonstrably outweigh the scheme's benefits. The proposal would not therefore amount to sustainable development in the terms of the Framework.

Other matters

21. I have noted the support for the proposal from local residents on the basis of the benefits to the village from the additional housing, the limited increase in traffic and utilising a large plot of land that would have limited visibility and would be in keeping with the village. However, whilst the impact of traffic from the proposal would be limited, these other matters are addressed above. I therefore accord these matters limited weight.
22. I have also noted the objections from Great and Little Chishill Parish Council and a local resident to the proposal. However, in light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

23. In respect of the planning balance which the Framework requires, I give weight to the fact that, although the appeal site is outside of the defined village framework, as the Council cannot demonstrate a five year supply, the relevant housing supply Policies ST/2 and ST/7 of the CS and Policy DP/7 of the DCP cannot be considered up to date. With regard to paragraph 14 of the Framework, the development when taken overall would harm the area's character and appearance and this harm would conflict with the environmental dimension of sustainable development. Consequently, in my view, this would be sufficient to significantly and demonstrably outweigh the scheme's benefits when assessed against the policies in the Framework as a whole.
24. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR