
Appeal Decision

Site visit made on 9 May 2019

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/W0530/W/18/3212314

Land to the South of 33 Dubbs Knoll Road, Guilden Morden SG8 0LA

- 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 JD Developments Cambridge Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref S/0986/18/OL, dated 13 March 2018, was refused by notice dated 4 July 2018.
 - The development proposed is outline planning application for the erection of 2no detached 1.5 storey houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was determined, the South Cambridgeshire Local Plan (LP) was formally adopted by the Council on 27 September 2018. It was confirmed by the Council that the Submission Local Plan policies referred to in the decision notice have not changed.
3. In their final comments, the appellants acknowledge that following the adoption of the Local Plan, the Council can now demonstrate a five year housing land supply.
4. Since the submission of the appeal, an updated version of the National Planning Policy Framework (February 2019) (the Framework) has been published by the Government. This is a material consideration in planning decisions. In relation to the main issue in this appeal, Government policy has not materially changed, and it was not therefore necessary to invite any further comments from the different parties involved.

Main Issue

5. The impact on the character and appearance of the area.

Reasons

6. The appeal site is situated along Dubbs Knoll Road which is a rural lane situated to the north of the historic village of Guilden Morden. The lane has an open and informal character, punctuated by a small number of dwellings along its length. There are no footways and the lane is dominated by thick hedgerow and grass verges.

7. Immediately adjacent, and to the north of the appeal site is a detached modern bungalow, and there is a public right of way (PROW) running from Dubbs Knoll Road along the hedgerow that separates the bungalow from the appeal site to other routes to the north and south. At the site visit, I observed long distance views from the PROW looking south to the village which included the spire of the Church of St Mary.
8. The appeal site is located in open countryside, and outside of the settlement boundary and development framework for Guilden Morden, which is defined by policies S/7 and S/10 of the LP. Development outside of this is strictly controlled, subject to a number of exceptions, none of which the proposed development would fall within.
9. Further, policy HQ/1 seeks to preserve or enhance the character of rural areas, seeking development that would respond to its landscape context. Given that the proposals would result in the development of what currently is an open area of agricultural land, this would considerably and permanently alter the appearance of the appeal site. In my view this would result in an urbanising effect on the site and immediate area, where the impacts would also be experienced by users of the PROW.
10. To that end, I consider the proposals would harm the character and appearance of the area, contrary to policies S/7, S/10 and HQ/1 of the LP, as well as paragraphs 79 and 127 of the Framework which seek to avoid development in isolated locations as well as development that contributes positively to local character.

Other Matters

11. Duck Lane Farmhouse, together with its associated barn are Grade II Listed buildings, close to the appeal site. I have applied the statutory duty in Section 72(1) in considering the impact of the proposals on these heritage assets. However, given the distance of these buildings from the site and the presence of significant hedgerow boundaries, I consider there would be no harm to their setting as a result of these proposals. That said, the absence of such harm is a neutral point and weighs neither for nor against the proposals.
12. I note the appellants' comments about the extant permission for two new dwellings to the south of the appeal site. I am also aware that these were determined at a time when the council was without a 5 year housing land supply and the circumstances were somewhat different. The council in determining that proposal stated that it would not result in any adverse encroachment into the surrounding countryside. Given the proximity of this site, there is little to distinguish the two sites in this regard. However, I do not agree with the council's assessment in terms of the impact on surrounding countryside.

Conclusions

13. Whilst I consider there to be some benefits associated with the development itself, associated with the economics of construction and future occupation, and the modest contribution that the proposal would make to boosting housing supply, I do not consider such benefits outweigh the harm I have identified.

14. Having regard to all matters raised, I conclude that the appeal must fail.

Sian Griffiths

INSPECTOR