



Appeal Decision

Site visit made on 2 September 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/W0530/W/19/3231771

Oakdene House, Station Road, Longstanton, Cambridge CB24 3DS

- 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 & Mrs Roger and Christine West against the decision of South Cambridgeshire District Council.
 - The application Ref S/0766/19/FL, dated 22 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is for erection of a single self-build dwelling, garage, remodelled access and associated infrastructure.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) Whether the site is an appropriate location for housing with regard to the development plan and the Framework.
 - (ii) The effect of the proposal on the character and appearance of the area.

Reasons

Location

3. The appeal site is located on Station Road to the north of the village of Longstanton. The proposed new dwelling would be located in the large garden and on the same building line as Oakdene House. The site is located about 0.4 miles from the guided busway which provides regular services to Cambridge as well as other destinations.
4. The South Cambridgeshire Local Plan which was adopted in September 2018 (LP) establishes the overall level of development required over the plan period and the development strategy to achieve the level of growth required including the development of the nearby new settlement at Northstowe. I understand that the Council is able to demonstrate a five-year supply of housing land.
5. The LP states (in Policy S/7 2) that that outside of development frameworks only land allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in the LP will be permitted.

6. Since there is no Neighbourhood Plan and the dwelling is not proposed for the specific purposes set out in the policy it seems clear to me that the appeal proposal does not comply with the policy requirements of Policy S/7.
7. Policy S/10 identifies Longstanton as a "Group Village" where developments up to 8 dwellings (and exceptionally 15 dwellings) will be permitted within the development framework as defined on the Policies Map. The appeal site lies a significant distance (0.7 miles) beyond the defined development limits shown on the Policies Map and in policy terms is regarded as open countryside.
8. I acknowledge that the site has some important characteristics that run in its favour including access to local services and facilities as well as easy access to the busway and cycling infrastructure. However, I do not consider those benefits in themselves are sufficient to override the concerns I have identified above regarding development outside the scope of the strategy for the location of development.
9. My conclusion in respect of the policy background dealing with the location of new housing in South Cambridgeshire is that development of the appeal site would be contrary to both Policies S/7 and Policy S/10 of the LP that seek to steer new development to more suitable locations.

Character and appearance

10. The appeal site comprises a large detached dwelling set back from and facing towards Station Road. Oakdene House is set in a very large rectangularly shaped garden, most of which is laid out as mown grass, which stretches back a considerable distance from Station Road. There is a significant amount of development along this section of Station Road, yet it is generally of a low density much of it well screened by mature vegetation. The buildings are sporadic, set mainly within spacious large plots. This enables open views into many curtilages including the appeal site as well as into the fields beyond. There is a substantial amount of open land to the north of Oakdene House.
11. The prevailing rural and open nature of this area is changing. The land directly adjacent to the appeal site has planning permission for a new dwelling where construction has yet to start and, on the plot beyond that, a new dwelling behind the frontage has been recently completed. The former was allowed on appeal (APP/W0530/W/17/3188410, see paragraph 17 below) and the latter permitted by the Council (S/0107/17/FL). The effect is that there will be a significant increase in the intensity of built development within the vicinity of the appeal site. The appeal proposal would not only add to those impacts but also result in closure of the remaining gap in development along the frontage of the appeal site, further compromising views into open countryside.
12. The Council are concerned that the proposed development would create a situation where further encroachment into the countryside would be difficult to resist. I have considered the Council's argument that the current proposal would set a precedent for similar developments along Station Road. Whilst each application and appeal must be treated on its individual merits, I can appreciate the Council's concern that approval of this proposal could be used in support of such similar schemes. I consider that this is not a generalised fear of precedent, but a realistic and specific concern given that such arguments are used to support the current appeal scheme. Allowing this appeal would make it more difficult to resist further planning applications for similar developments,

and I consider that their cumulative effect would exacerbate the harm which I have described above.

13. Accordingly, my conclusion is that the appeal proposal would have a harmful effect on the character and appearance of the area since it would fail to preserve or enhance the rural area through an urbanising effect which would lead to further encroachment into the countryside. As such the proposals would be contrary to the design principles set out in LP Policy HQ/1 as well as Policy S/7 which steers development to more suitable locations.

Other Matters

14. The proposed dwelling is put forward as a self-build proposal. Provision for self-build is important but, in itself, this does not overcome the requirement for the proposal to be policy-compliant.
15. I note that the Council has recognised that the appeal proposal would have no adverse impact on living conditions of nearby occupiers and that consultees have suggested the proposals would be acceptable in terms of highway safety, drainage and ecology, subject to appropriate conditions. I agree with these points.
16. There are several recent appeal decisions which I have had regard to in coming to my decision.
17. Appeal Ref: APP/W0530/W/17/3188410 proposed a single dwelling on land directly adjacent to the appeal site. The appeal was allowed on 18 April 2018. In this decision the Inspector considered the impact of the proposal on character and appearance was acceptable although I note at the time the Council accepted the principle of development on that site and was unable to identify a 5-year supply of housing land.
18. Appeal Ref: APP/W0530/W/18/3199903 was for outline planning permission for 2 dwellings on the appeal site. This was dismissed on 21 August 2018 where the Inspector in respect of impact on character and appearance the Inspector adopted a similar stance to my own.
19. Both of the above decisions were taken prior to the adoption of the LP which in my view is a significant difference to the context in which I have determined this appeal.
20. Finally, the appellants have drawn my attention to Appeal Ref: APP/W0530/W/18/3215540 where planning permission has been granted after the adoption of the LP (on 14 August 2019) for a single dwelling outside the settlement boundary of Willingham making the observation, "that residential development can be allowed outside of development frameworks where they are considered sustainable forms of development, and regardless of the Council's five year housing supply position". However, I note that in that case the site lay within the garden of an existing dwelling. The existing dwelling, but not all of the garden, lies within the settlement boundary at the end of an existing row of dwellings. The Inspector concluded that particular development would not harm the character and appearance of the area. None of these decisions are, therefore, directly comparable with the appeal proposal which limits the weight which I can attach to them in my decision.

Planning balance

21. In relation to the presumption in favour of sustainable development, I have acknowledged above that the site has some important characteristics relating to accessibility by sustainable transport modes and access to services. Nevertheless, I do not consider that these benefits of the development outweigh the harm I have identified above under the main issues nor overcome the conflict with the development plan.

Conclusion

22. Having had regard to all of the matters raised, for the reasons set out above the appeal is dismissed.

David Carter

INSPECTOR