



Appeal Decision

Site visit made on 25 January 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Monday, 01 March 2021

Appeal Ref: APP/V0510/W/20/3258132

The Green, The Bungalow, Woodditton Road, Kirtling CB8 9PG

- 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 Mrs Helen Pettitt against the decision of East Cambridgeshire District Council.
 - The application Ref: 20/00599/FUL, dated 14 May 2020, was refused by notice dated 8 July 2020.
 - The development proposed is a 1.5 storey dwelling with associated access and off road parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The results of the 2020 Housing Delivery Test (HDT) were published on the 19 January 2021. The results show that East Cambridgeshire delivered 87% of its housing requirement over the preceding 3 years. The main parties have been afforded the opportunity to comment on the implications of these results for this appeal. I have had regard to their comments in my decision.

Main Issue

3. The main issue is whether the appeal site is a suitable location for residential development having regard to the locational strategy of the development plan.

Reasons

4. Policy GROWTH2 of the East Cambridgeshire Local Plan (2015)(LP) sets out the locational strategy for new residential development. Its aim is to ensure that growth takes place in the best locations in the district, where it is needed, deliverable and where it is sustainable. Some limited development is anticipated in villages which have a defined development envelope, thereby helping to support local services, shops and community needs. However, outside of defined settlements boundaries development is strictly controlled having regard to the need to protect the countryside and the setting of towns and villages.
5. The appeal site is located outside of the defined settlement boundary for Kirtling. For the purposes of applying planning policy, it is located within the countryside where development will be permitted only in exceptional circumstances.

6. In the absence of anything to suggest that the scheme would be consistent with the exceptional categories of development listed within the policy, the appeal site is not a location towards which new housing is directed and to do so would undermine the locational strategy for new residential development of the development plan in this regard. Thus, the proposal would be contrary to LP Policy GROWTH2 which seeks to focus new development to market towns and villages with defined settlement boundaries.

Other Matters

7. The Council are presently able to demonstrate a five-year supply of deliverable housing sites. The 2020 Housing Delivery Test for East Cambridgeshire District Council indicates that it achieved 87% of housing delivery measured against its housing target over the last 3 years. This is considerably more than the 75% benchmark used to define substantial under delivery in the National Planning Policy Framework (the Framework).
8. Consequently, as the Council is able to demonstrate a 5 year housing land supply, and as the latest Housing Delivery Test result is greater than 75%, neither of these considerations results in policies which are the most important for determining the application being considered out-of-date in the context of paragraph 11 of the Framework.
9. My attention has been drawn to a number of nearby developments¹ along Woodditton Road. Although I note that these developments are located outside of the defined settlement boundary for Kirtling, they were approved at a time when the Council were unable to demonstrate a five-year supply of deliverable housing sites. In those instances, the weight attributed to any conflict with development plan policy and the benefits and disbenefits of those schemes would have been different. Consequently, those schemes are not directly comparable with the appeal proposal and I have therefore considered the scheme before me on its individual planning merits.
10. I do not consider that the development boundary has been extended as a result of nearby developments. The development boundary is defined by the LP and in my view is unaffected by the limited amount of development nearby.
11. Paragraph 78 of the Framework sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. However, the contribution that would be made by one additional family dwelling and its occupants towards the vitality of the rural community would be small. Kirtling is a small village with few services and facilities. Despite a public house, village hall and recreation ground, the appellant concedes that everyday shopping would need to be undertaken at Newmarket, some 5 miles from Kirtling. As such, I am not persuaded that the proposal would make any significant contribution to enhancing or maintaining the vitality of the village.
12. The proposed dwelling would be high quality and respect and preserve the character of its rural surroundings. However, the absence of harm is a neutral matter that weighs neither for nor against a proposal.

¹ 16/00406/FUL; 17/00508/FUL; 17/01383/RMA; 19/01609/VAR

13. The proposed scheme would promote the efficient use of under-utilised land, however, it would do so to the detriment of the Council's locational strategy for development. I therefore attach only limited weight to these benefits.
14. Taken overall, I conclude that none of the above matters, neither individually nor collectively are sufficient to outweigh the harm which I have found regarding the conflict with the locational strategy of the development plan arising from the appeal site's inappropriate location for new housing. The proposal conflicts with the development plan as a whole and there are no material considerations which indicate that the proposal should be determined otherwise than in accordance with the development plan.

Conclusion

15. Accordingly, for the reasons given above, the appeal is dismissed.

E Brownless

INSPECTOR