



Appeal Decision

Site Visit made on 8 March 2021

by Mr Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2021

Appeal Ref: APP/W0530/D/20/3264894

3 Ley Grove Cottages, Whittlesford Road, Little Shelford, Cambridge CB22 5EX

- 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 Guy Belcher against the decision of South Cambridgeshire District Council.
 - The application Ref 20/02914/HFUL, dated 30 June 2020, was refused by notice dated 22 September 2020.
 - The development proposed is retrospective application for demolition of asbestos garage (completed) and erection of 3.6m ridge garden room / studio (part completed) on existing concrete slab and footings. Building to be of timber construction with vertical boarded walls and a pitch roof of corrugated tin. Room for use by household of number 3 for studio, music room and relaxation within side garden to property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the proposal would be inappropriate development in the Green Belt; and
 - If the proposal would be inappropriate development, whether or not the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

3. The National Planning Policy Framework (February 2019) (the Framework) specifies that the construction of new buildings in the Green Belt shall be regarded as inappropriate development unless one of several stated exceptions apply. These exceptions include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
4. The submitted plans indicate that the now demolished former garage (the garage) covered a similar footprint to that covered by the part-constructed garden room/studio (the new building) that is now in-situ. Nevertheless, an additional porch element makes up part of the new building and its pitched roof extends to approximately 95cm higher than that previously reached by the

garage. A height difference of just under 1m, when comparing single-storey structures, is meaningful. Indeed, given the additional height and volume provided by the new building's roof form, I find that the new building is materially larger than the garage once was.

5. A further Framework exception to new buildings be considered inappropriate development is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. The new building covers a similar footprint to that previously covered by a permanent structure and, in this sense, can be considered to constitute the redevelopment of previously developed land. It thus falls for me to consider the new building's impact upon the Green Belt's openness.
6. Notwithstanding the presence of established planting to much of the appeal site's perimeter, including to its boundary with Whittlesford Road (the road), I observed fleeting views of the highest parts of the new building to be available from various publicly accessible vantage points along the road. It must also be noted that planting cannot be relied upon to provide solid or permanent buffers to views, because it is ever evolving, is reliant on regular maintenance to retain a consistent form and may be reduced in scale or extent in the future.
7. When factoring in the clear height differential under consideration, I find that the new building (either in its current or completed form) has/would have a greater impact upon the openness of the Green Belt when compared to the garage. It thus follows that the proposal does not meet any of the Framework's stated exceptions to new buildings being regarded as inappropriate development.
8. A close by scheme¹ for a new detached outbuilding has been brought to my attention where it would appear that Green Belt considerations were not directly addressed when that scheme was determined by the Council in 2015. However, Policy S/4 of the South Cambridgeshire Local Plan (September 2018) (the Local Plan) now clearly specifies that new development in the Green Belt will only be approved when in accordance with the Framework's Green Belt policies. I must determine the appeal on this basis.
9. A planning permission² has been referenced that relates to the creation of a nearby golf course and associated works. However, an entirely different form of development was under consideration and determination would have been in advance of the Framework's original publication in 2012. The golf course permission is thus of limited relevance. A further scheme³ that has been referenced is strategic in scale and relates to land located outside of the Green Belt. It also is of limited relevance to my considerations.
10. For the above reasons, the proposal would be inappropriate development in the Green Belt and conflicts with Policy S/4 of the Local Plan and the Framework in so far as these policies affirm that inappropriate development is, by definition, harmful to the Green Belt.

¹ S/2915/14/FL

² S/0862/99/F

³ S/2122/19/FL

Other matters

11. To my knowledge, no objection to the scheme has been raised by any interested party or consultee. Indeed, the appellant has referenced support offered by neighbours. However, it remains my responsibility to consider the proposal against the full suite of evidence that is before me and in the wider public interest.
12. Dialogue between the main parties to this appeal and relating to a potential reduction in ridge height has been brought to my attention. This post-dates the Council's decision to refuse planning permission. For the avoidance of doubt, to ensure that no party with an interest in this appeal is potentially prejudiced, I must determine the appeal based on the plans that were submitted to and determined by the Council at planning application stage.

Whether very special circumstances apply

13. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework also indicates that substantial weight should be given to any harm identified to the Green Belt.
14. It has been suggested that the new building's design is based on the composition of original rear outhouses situated nearby and is more aesthetically pleasing than the former asbestos construction now demolished. However, to my mind, the proposal would not deliver any tangible benefits in a character and appearance sense. This is most particularly because the garage would have had a discreet and low-key presence upon the site. I also note that the new building, as part-constructed upon an existing concrete slab, is of robust and substantive construction such that it could not be accurately described as a temporary building.
15. The new building would deliver enhanced facilities/accommodation for the occupiers of No 3 Ley Grove Cottages. When noting the extent of floor space under consideration, this benefit attracts limited weight.
16. The proposal utilises previously developed land. As the scheme involves the erection of a replacement building of domestic scale in a location distanced from any settlement, this benefit attracts limited weight.
17. The proposal's benefits, when considered cumulatively, would be modest and would not outweigh the substantial harm identified to the Green Belt (including harm derived from loss of openness) so as to amount to the very special circumstances necessary to justify the proposal. The scheme conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

18. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR