



Appeal Decisions

Site Visit made on 21 September 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2021

Ref: APP/W0530/W/21/3267781

Land to the North and South of Bartlow Road, Linton CB21 4LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application.
 - The appeal is made by Abbey Developments Ltd against South Cambridgeshire District Council.
 - The application Ref S/1963/15/COND5, is dated 19 May 2020, sought approval of details pursuant to condition No 5 of planning permission Ref: S/1963/15/OL granted on 1 September 2017.
 - The development proposed is a residential development for up to 55 dwellings with landscape buffer and new vehicular accesses from Bartlow Road.
 - The details for which approval is sought are described as No. 5 (hard and soft landscaping).
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Decision

1. The appeal is dismissed, and details Ref: S/1963/15/COND5 pursuant to condition No. 5 of a planning permission Ref: S/1963/15/OL are refused.

Application for costs

2. An application for costs was made by Abbey Developments Ltd against South Cambridgeshire District Council. This application is the subject of a separate decision.

Procedural Matters

3. I am considering three other appeals on the same site. Whilst these have been made by the same appellant, they raise differing issues. In consequence, I have made separate decisions.
4. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.
5. I have noted concerns raised by the appellant regarding the necessity of the actual condition. However, the terms of this appeal pertain to the details that should be submitted and considered following its imposition. In consequence, I am unable to revisit whether conditions were a necessity in the first instance.

Main Issue

6. The main issue is whether the submitted details would secure a planning policy compliant development, with regards to the effect of the development upon the character and appearance of the surrounding area.

Reasons

7. The appeal site is located adjacent to the settlement and next to fields, it is also viewable from Brinklow Road and the A1307. In consequence, the appeal site is prominent and can also be described as representing an urban fringe.
8. Whilst the proposed landscaping scheme features generous planting on the boundaries of the site, the proposed open space within the development features a limited number of trees and planting. This would fail to assimilate the proposed development into its surroundings. This is because, in the absence of appropriate landscaping to soften the appeal site, the development would appear stark and imposing when viewed from the A1307.
9. In addition, the front gardens of dwellings are characterised by grassed areas and low hedges. This means that the proposed development would, in this regard, have a uniform appearance that would conflict with the variety of layouts and landscaping schemes that are present within other properties in the vicinity of the appeal site.
10. In reaching this view, I have had regard to the Framework and specifically, paragraph 131. This places a particular importance upon the creation of tree-lined streets. Whilst the proposed development would feature some trees, in many locations, they would occur on an ad-hoc basis. Therefore, the proposed development would not feature tree lined streets, in conflict with the Framework.
11. The lack of street trees, combined with the regular and relatively uniform landscaped areas located within the development, would create an environment that would be of more urban character. This would conflict with the character of an urban fringe that is prevalent within the site's surroundings.
12. Furthermore, the evidence before me is indicative that some of the planting requires permanently damp soil. Owing to the placing of these plants, combined with the general topography of the appeal site, the proposed planting would not be within such soil. Therefore, there is a likelihood that such planting may not survive in the long term. This would mean that the proposed development would fail to respond to the urban fringe in which the appeal site is located and the more rural areas beyond.
13. I also acknowledge concerns raised by the appellant regarding the delivery of housing within the district. However, the details before me would result in a development that would have an adverse effect upon the character and appearance of the surrounding area. Moreover, the evidence before me is not indicative that a policy compliant landscaping scheme could not be secured. In result, I do not believe that this appeal decision would prejudice the delivery of new housing within the locality.
14. I therefore conclude that the proposed development, without adequate landscaping, would have an adverse effect upon the character and appearance of the surrounding area. I therefore conclude that the proposed details would

fail to comply with Policies HQ/1, NH/2 and NH/4 of the South Cambridgeshire Local Plan (2018). Amongst other matters, these seek to ensure that new developments respond to its context in the wider landscape; respect and retain the distinctiveness of the local landscape; and preserve and enhance biodiversity.

Other Matter

15. I note concerns raised by the appellant regarding the manner in which the various applications were considered by the Council. However, in assessing the appeals, I have limited my considerations to the planning matters before me.

Conclusion

16. The proposed development without an adequate landscaping scheme would have an adverse effect upon the character and appearance of the surrounding area and would therefore conflict with the requirements of the Development Plan. There are no material considerations, including the Framework, which indicate that this decision should be made other than in accordance with the Development Plan. Therefore, for the foregoing reasons, I conclude that this appeal should be dismissed.

Benjamin Clarke

INSPECTOR