



Appeal Decision

Site visit made on 25 May 2022

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2022

Appeal Ref: APP/W0530/W/21/3288109
113 Cambridge Road, Wimpole SG8 5QB

- 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 Andrea Hollingsworth against the decision of South Cambridgeshire District Council.
 - The application Ref 20/05051/FUL, dated 04 December 2020, was refused by notice dated 03 June 2021.
 - The development proposed is conversion of ancillary granny annexe to residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development proposed would be consistent with the objectives of local and national planning policies relating to the location and supply of housing in rural areas.

Reasons

3. The appeal site is located in the countryside outside of any development framework. Policy S/7 (Development Frameworks) of the South Cambridgeshire Local Plan adopted in 2018 (LP) states, 'Outside development frameworks, only 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 this plan will be permitted.' The explanatory text to the policy advises that the policy is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.
4. The appellant asserts that the development is supported by LP Policy H/16b (Development of Residential Gardens) as the proposal seeks the change of use of an annexe within the garden of the dwelling at 113 Cambridge Road. LP Policy H/16b is supportive of the development of residential gardens for new dwellings where there would be no significant harm to the local area, taking account of a list of 8 criteria. The Council has not found the development conflicts with the list of 8 criteria, but argues that Policy H/16 does not expressly support new market housing in the countryside. Furthermore, the Council asserts that the explanatory text to the policy supports the view that the policy does not apply outside of villages.

5. I have had regard to the different approaches taken by Inspectors¹ as to whether LP Policy H/16 applies across the whole of the district or is restricted to gardens within villages. A plain reading of the policy, however, does not restrict its applicability to only villages. As such, given that there is no evidence before me indicating that there would be significant harm to the local area when considering the list of 8 criteria, I find that the development would be supported by LP Policy H/16b. It logically follows that the development is consistent with LP Policy S/7 as it is 'supported by other policies' in the plan.
6. The Council's refusal reason also refers to conflict with LP Policy TI/2 (Planning for Sustainable Travel). I have had regard to the list of facilities and services and their distances from the appeal site as listed within the appellant's planning statement². The Government's National Design Guide³ states that walking distance to local facilities is generally considered to be no more than a 10 minute walk (800m radius). The distances to the majority of facilities listed are significantly further than 800m. The nearest primary school is listed as 1.6 miles away in Orwell, and the nearest public house is 2 miles away (also in Orwell). Moreover, Cambridge Road is a fast, classified 'A' road without lighting or a footway for a substantial part of the section to Wimpole and Orwell, limiting its appeal for cycling and walking.
7. The appeal statement advises that there are bus stops, approximately 350m from the site, which serves the 15, 75 and C2 bus services, which provide regular daily services to a variety of destinations including Cambridge, Royston, St Neots, Gamlingay and Kingston. I acknowledge that the nearby bus service would reduce the need to travel by private car to access services and facilities. The route to the bus stops, however, is via a section in the grass verge alongside the A603 without a footway, cycleway or street-lighting. This section of the road is on a bend and traffic travels at up to 50mph. This route would not, therefore, be attractive in inclement weather, at night, or for those with young children, or limited mobility.
8. The appellant's appeal statement also advises that the site is approximately 650m from a BP garage offering petrol filling, a convenience store (with bakery and bistro), cash point and customer toilets. The route to the garage uses the same section of grass verge as the route to the bus stops and requires crossing both the A603 and the A1198. It is therefore likely that prospective residents would be heavily reliant on private motorised transport as opposed to more sustainable modes of transport for trips to serve their everyday needs and employment.
9. The proposal would not, of itself, generate a large number of additional traffic movements over and above the existing annexe. I also acknowledge that the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, it also advises that transport issues should be considered so that opportunities to promote walking, cycling and public transport use are identified and pursued. The cumulative effect of allowing new homes in locations without good access to day-to-day requirements would lead to a harmful increase in the amount of unsustainable journeys made. I therefore find the proposal is contrary the LP Policy TI/2 requirement that development must be located and designed to reduce the

¹ APP/W0530/W/20/3246874 (Southwind) & APP/W0530/W/20/3252075 (77 Station Road)

² Appellant's Planning Statement - Paragraph 9

³ MHCLG National Design Guide (January 2021)

need to travel, particularly by car, and to promote sustainable travel appropriate to its location. The development would also conflict with Section 9 of the National Planning Policy Framework (the Framework) which promotes managing patterns of growth to maximise sustainable transport opportunities.

10. It is not unusual for some tension to be found between different policies in a development plan, when applied to a specific proposal. Although there would be compliance with LP Policies H/16 and S/7, I have found conflict with significant local and national policies that support directing development to locations which minimise demand for travel and offer sustainable travel choices. Overall, therefore, the proposal would not be consistent with the objectives of local and national planning policies relating to the location and supply of housing in rural areas.

Planning Balance and Conclusion

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For the reasons noted above, I consider the identified conflict with LP Policy TI/2 to outweigh the support for the development within LP Policies H/16 and S/7. As such, the development would not comply with the development plan when taken as a whole.
12. The Framework is clear that the Government's objective is to significantly boost the supply of homes to meet peoples' housing needs. However, given only a single dwelling is proposed, the benefit of increased housing supply carries only limited weight. The Framework is also clear that the use of previously developed land is encouraged subject to suitable opportunities existing. However, I have found the development to be contrary to the Framework's requirement that transport issues should be considered so that opportunities to promote walking, cycling and public transport use are identified and pursued. As such, the development would harm the Framework's environmental objective. Furthermore, I do not have any substantive evidence that there are any rural communities locally which would benefit materially in terms of enhancing or maintaining their vitality. As such, any social or economic benefits of the scheme would be very limited and are significantly outweighed by environmental harms.
13. The proposal would, therefore, conflict with the development plan, when read as a whole, and there are no other considerations, including the Framework, that outweigh this identified conflict.
14. For the reasons given above, the appeal is dismissed.

S D Castle

INSPECTOR