



Appeal Decision

Site visit made on 20 September 2022

by C Harding BA(Hons) PGDipTRP PGCert MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2023

Appeal Ref: APP/W0530/W/21/3288507

Land Adjacent 155 Rampton Road, Willingham, Cambridge CB24 8QF

- 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 Luke Crisp against the decision of South Cambridgeshire District Council.
 - The application Ref 21/04068/FUL, dated 8 September 2021, was refused by notice dated 19 November 2021.
 - The development proposed is the demolition of redundant agricultural building and erection of two dwellings and associated development.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the interests of clarity, I have amended the description of development in order to remove those elements that are not acts of development.

Main Issues

3. The main issues are;
 - whether the proposed development would be consistent with local and national policies relating to the location of new housing development;
 - the effect of the proposed development upon the character of the area, and;
 - whether a fallback position would exist that would outweigh any harm in respect of the development.

Reasons

Location of housing development

4. The appeal site is an open field containing a concrete agricultural building, and a series of wooden storage sheds. Prior approval has previously been granted¹ for the conversion of the existing agricultural building into two residential dwellings by virtue of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order (GPDO).
5. In its evidence, the Council has referred to South Cambridgeshire Local Plan (SCLP) Policy S/10 which makes allowance for residential development within

¹ 21/02578/PRI03Q

Group Villages, however Willingham is not identified as such a village and accordingly, this policy is not of relevance to the appeal.

6. SCLP Policy S/7 states that development outside of development frameworks will not be permitted unless it is a Neighbourhood Plan allocation, or is related to countryside activity, or supported by other plan policies.
7. It is agreed between the parties that the appeal site situated is outside of any development framework and is therefore located within the countryside for the purposes of SCLP Policy S/7. Furthermore, the proposed development would not meet any of the exceptions set out within the policy, nor have I been made aware of any Neighbourhood Plan allocation, or any other relevant policy support. As a result, the proposal would conflict SCLP Policy S/7.
8. Willingham contains a large range of services and facilities, and a lit footway exists for much of the distance between the appeal site and the wider settlement. However, the appeal site is not directly served by this footway and consequently, any future residents would be required to walk along the carriageway for a short distance before a safe and convenient footway could be accessed. As a result, whilst accessing services within Willingham on foot would be an attractive option for some, it would not necessarily be the case for all future residents of the proposed development. Such services would be accessible by means of bicycle, but again by not all potential future occupiers of the proposed development.
9. The fact that alternative means of transport to local services other than the private car would not be attractive or appropriate for all potential future occupiers of the proposed development, it is probable that many journeys to access day-to-day services and facilities would be made by private vehicle. However, the National Planning Policy Framework ('the Framework') recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
10. The level of car use likely to be generated by two dwellings would be modest. Furthermore, although alternative means of travel would not be suitable or attractive to all, they would be attractive to some potential future occupiers, particularly as the distances involved would be unlikely to be significant. I am also mindful of advice within the Framework which acknowledges the support to nearby settlements that can result from rural development.
11. Accordingly, the appeal site would not be an appropriate location for new housing with regard to SCLP Policy S/7, which seeks to direct development to locations within development frameworks, and the proposed development would conflict with this policy as a result. However, having regard to the above, there is some support for the proposed development in the Framework, which is a material consideration to be taken into account.

Character of the area

12. Although located at the edge of Willingham, the site is rural in character and there is substantial hedgerow and tree boundaries on all sides, and in particular the boundary adjacent to the road. The character of Rampton Road as it leaves the village is that of continued residential development, which decreases in density eastwards along the road. At times there are small breaks in

development, and there is no clear and definitive settlement edge, as the built envelope of the settlement gradually blends into the countryside.

13. However, there is an absence of development on the appeal site other than the existing agricultural buildings, and there is no development evident on the opposite side of the road or on the adjacent fields. As a result, although not isolated for the purposes of Paragraph 80 of the Framework, the character of the appeal site is that of open countryside, as opposed to forming part of the wider settlement. Although the appeal site is not subject to any landscape designation, it does have intrinsic value as part of the open countryside as recognised by Paragraph 174 of the Framework.
14. The proposed development would further extend built development on the northern side of Rampton Road into the countryside. Whilst each of the proposed dwellings would not be significant in scale and reflective of other dwellings in the area, when considered together, and along with the required access, hardstanding and accompanying residential gardens, would lead to the urbanisation of a significant portion of the appeal site. On this basis, although significant screening exists on the boundary of the appeal site with Rampton Road, I consider that the proposed development would harmfully erode the rural character of the appeal site.
15. Existing buildings on the site do already represent a form of built development, and the evidence indicates that they would be removed as a result of the proposed development. I also note that the overall footprint of the proposed dwellings would be reduced in comparison to the total footprint of the existing buildings. However, the existing buildings are of a single-storey nature and are not prominent and are located in close proximity to the boundary of the appeal site closest to other existing development at neighbouring properties. Accordingly, they do not currently represent a significant incursion into the countryside, and being agricultural in nature and construction, have not resulted in a significant level of urbanisation.
16. The removal of the existing buildings located within the appeal site could be beneficial in visual terms, however this, in itself, would not overcome the harm that have I identified would result from the proposed development.
17. The proposed development would result in harm to the rural character of the area. It would therefore conflict with SCLP Policies HQ/1 and S/7, which together, and amongst other criteria require development to preserve or enhance the character of the local urban and rural area, be compatible and appropriate in relation to the location and surrounding area.

Fallback Position

18. The appellant has advised the prior approval permission would be implemented in the event of the appeal being dismissed. Based on the evidence before me, I consider that there is a greater than theoretical possibility that the existing agricultural building at the site would be converted to provide two residential dwellings, so a fallback position exists.
19. The appeal proposal would offer some benefits over the fallback position in terms of quality of living accommodation, design and the overall footprint of development.

20. Both the appeal proposal and the fallback position would result in benefits in terms of boosting housing supply and supporting the economy both during construction and occupation. Due to the location of the appeal site, both schemes would have access to a range of services by means of travel other than the private car. As both developments would be of a similar scale, these effects would be comparable in magnitude.
21. However, in comparison to the appeal scheme, the fallback position would be better related to other existing buildings and located within the site such that it would minimise encroachment into the countryside. Furthermore, as it would be of a lower height and set further back into the site, it would be less visually intrusive than the appeal scheme.
22. The fallback position would require the upgrading of the existing access track to allow adequate access, and this would have an urbanising effect. However, set against this, the appeal scheme would result in dwellings located in a more prominent position closer to the road, and itself would require a degree of hardstanding to be provided for access.
23. Accordingly, I conclude that the appeal scheme would be more harmful than the fallback position. I therefore attach only very modest weight to the fallback position as a material consideration weighing in favour of the proposed development.

Other Matters

24. The proposed development would not result in a precedent being set such that the Council's ability to make appropriate decisions on future proposals would be fettered, and every case should be considered on its merits. However, this fact does not weigh in favour of the proposed development.
25. Whether the appeal scheme would lead to harm to the living conditions of the occupiers of neighbouring properties, would provide adequate access and parking provision, or would adequately consider issues relating to ecology are not matters of dispute between the parties. Even if I were to agree, these would constitute only neutral factors in my consideration.

Conclusion

26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires me to determine the appeal in accordance with the development plan unless material considerations indicate otherwise.
27. As I have set out above, the proposal would conflict with the development plan with regards to the location of new housing development. It would also result in harm to the character and appearance of the area. Accordingly, the proposal would conflict with the development plan as a whole, and I afford this conflict great weight.
28. The proposed development would result in some benefits, including a modest boost to housing supply, as well as support to the economy during construction and occupation. It would also be located such that future occupiers would have access to services and facilities by means of travel other than private car. However, these benefits would not outweigh the harm or conflict with the development plan that I have identified.

29. Therefore, I conclude that the proposal would conflict with the development plan, and there are no material considerations, including the Framework and the fallback position, that would outweigh that conflict. Accordingly, the appeal is dismissed.

C Harding

INSPECTOR