

Appeal Decision

Site visit made on 12 March 2024

by P Eggleton BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/W0530/W/23/3325284

Land at Fenny Lane Farm, Fenny Lane, Meldreth, Cambridgeshire SG8 6NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Philippa and Joanne Hart against the decision of South Cambridgeshire District Council.
 - The application Ref 22/04018/OUT, dated 6 September 2022, was refused by notice dated 9 February 2023.
 - The development proposed is nine self-build dwellings.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the appeal site is a suitable location for a residential development; and the effect on the character and appearance of the area.

Reasons

3. The proposal is in outline with all matters reserved except for the access. It would result in nine self-build dwellings. An indicative layout is provided showing how nine dwellings could be accommodated. The appellants have submitted an undertaking restricting any permission to self-build housing.
 4. The site lies outside the settlement boundary in conflict with policy S/7 of the South Cambridgeshire Local Plan 2018 (LP). LP Policy S/10 defines Meldreth as a Group Village, within the settlement hierarchy, which means it provides some services and facilities to meet the day-to-day needs of its population. The policy sets out that in such settlements, schemes of up to eight dwellings will be permitted. The general aim of the policy is to seek to limit the level of housing that might come forward in Group Villages to ensure that services are not subject to a significant level of additional development in a short space of time. The proposal would conflict with this policy as it is for nine dwellings and is just beyond the village boundary. There is no dispute that the council can demonstrate a deliverable five-year housing land supply and therefore these policies can be afforded full weight.
-

5. Meldreth is a settlement made up of differing parts. It has a consolidated area of housing to the south which includes a range of facilities and the railway station. It has other in depth areas of development further north along the High Street with additional services. These areas are interspersed with lower density development and a greater link to the wider countryside. In the north, beyond the junction of High Street, Fenny Lane and North End, the settlement has a linear character with low density development. There are more open areas, visual links with the countryside and greater levels of mature landscaping. Fenny Lane, aside from the Manor developments, has an even more rural character, dominated by greenery. The sporadic low density developments along its northern side have only a very limited prominence. The farm buildings adjacent to the appeal site, including conversions, are more prominent but reflect the rural character of the area.
6. The appeal proposal would be entirely at odds with the current transition from village development to the countryside that is provided by the very low density, heavily landscaped properties along the north side of Fenny Lane. Although not a high density scheme, it would represent a much greater density than the roadside properties and would result in an area of consolidated in-depth development. Although in outline, given the constraints resulting from the shape of the site, the proposal would inevitably provide a much more urban edge to this very low density area of the settlement. This is illustrated by the indicative layout. Whilst the higher density area would be to the rear of the site and screened to a large extent from Fenny Lane, it would be visible, despite the containing hedges, from the countryside beyond and particularly the public footpath.
7. I have had regard to the appellants' landscape impact appraisal but consider that this scale and form of development, on the edge of this very low density rural edge of the settlement, would result in unacceptable harm to the character and appearance of the area. There are some other areas of isolated pockets of development beyond the settlement boundaries but these do not suggest that this development would be acceptable. The proposal would be contrary to LP policies HQ/1 and NH/2 which seek to protect and enhance the character of the local urban and rural area and respond to the context of the wider landscape. This form and scale of development would represent poor design in this context.

Other matters

8. The site benefits from being immediately adjacent to the settlement boundary. It is contained, to a large extent to the west, by the farm developments. The village itself has a wide range of services in addition to a railway station which provides access to larger settlements further afield, including Cambridge and London. The site would be in walking distance of these services for many. It is not therefore an inaccessible location and the addition of nine houses to the village, whilst just over the indicative threshold of policy S/10, would be unlikely to have an adverse impact on the village services. It is more likely that they would help sustain these existing services in the longer term. These matters provide considerable weight in favour of the proposal.
9. The council is a Right to Build Vanguard Authority with a statutory duty under The Self Build and Custom Housebuilding Act 2015 (as amended) to provide

permissions for serviced plots to meet the demand for self-build and custom housebuilding. The evidence submitted by the appellants is compelling. It suggests that there is increasing demand and the council is unlikely to be able to provide the necessary consents. The proposal would make a modest contribution of up to nine self-build dwellings in a relatively sustainable location, directly adjoining the village boundary.

10. Reference has been made to a number of appeals, many of which accepted that the weight to be afforded to the lack of existing and potential self-build sites, given the council's reported demand, would be sufficient to outweigh the LP locational strategy policies. The decisions at Whitecroft Road, Meldreth (3214057) dated 21 May 2019; Green End/Heath Road, Gamlingay (3230103) dated 23 September 2019; and St. Peters Street, Caxton (3282234) dated 1 August 2023, are of particular relevance as they relate to similar sized schemes and relied on comparable demand information. These decisions offer considerable weight in favour of the principle of this proposal.
11. The Meldreth appeal relates to an area close to the centre of the village that is characterised by more in-depth housing and would be adjacent to and partially enclosed by development that differs significantly from the very rural character of the appeal site. The Gamlingay proposal is also adjacent to more in-depth development and was considered to provide a suitable transitional edge to the settlement. At Caxton, the site is situated adjacent to the similar form of Rosemary Greene Close and was not considered to harm the character of the area. These appeals are therefore distinguishable from the current appeal which would result in considerable harm to the character of the area.

Conclusion

12. The proposal conflicts with the development plan with regard to the location and size of the development and the unacceptable harm that would result to the character and appearance of the area. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The shortfall in self-build sites and the contribution that this proposal would make to that, given that the site is in a relatively sustainable location, would indicate that a decision contrary to the locational strategy policies of the development plan could be made with regard to the principle of this proposal.
13. Whilst some harm to the character and appearance of the area must be anticipated to achieve the demand identified, the scale of this harm, in this particularly sensitive low density settlement edge location, would be considerable. Although there would be substantial social and economic benefits, in addition to the benefits of achieving self-build plots, these considerations, when taken together, would not be sufficient to outweigh the combined harm resulting from the conflict with the LP policies relating to both the locational strategy and the harm to the character and appearance of the area. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR