



Appeal Decision

Site visit made on 24 April 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 24 May 2024

Appeal Ref: APP/W0530/W/23/3334061

The Conifers, Long Lane, Gamlingay, Cambridgeshire SG19 3ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr P Gilheaney against the decision of South Cambridgeshire District Council.
 - The application Ref is 22/04352/FUL.
 - The development proposed is the demolition of a detached storage building and erection of a detached dwelling house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the appeal site would be a suitable location for the proposed development, having regard to local and national policy; and
 - whether the need for the proposed development outweighs any harm identified in respect of the above issues.

Reasons

Character and appearance

3. The area is rural, characterised by flat, open, agricultural fields with sporadic lengths of hedgerows and small areas of woodland. The built-up area of Gamlingay lies to the west. Outside of the village boundary, there are scattered dwellings, outbuildings, and barns amongst the landscape. The appeal site abuts a large allotment garden with a variety of small sheds and comprises a collection of single-storey, caravans and outbuildings clustered within a large plot bound by hedges and fences. The open views along Long Lane towards the village as well as Gamlingay Wood to the north have been identified as key views within the Gamlingay Village Design Guide.
4. The proposal would consolidate the built form on site and the chosen materials would reflect those seen in the wider area. However, it would be two-storeys in height and would appear incongruous when viewed amongst the surrounding low-level sheds and flat, open countryside. Although the implementation of a soft landscaping scheme would soften the proposals effects, it would be unduly prominent within the landscape, detracting from the key views along Long Lane and the open, rural agricultural character on approach to the village.

5. I note the poor condition of some of the existing structures, and the desire of the appellant to improve the overall appearance of the site. However, I have no substantive evidence to suggest that the proposal before me is the only way of achieving this goal.
6. As such, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan (September 2018) (SCLP) and GAM 9 of the Gamlingay Neighbourhood Plan (November 2022) (GNP). Where collectively they require development to be compatible with its location and appropriate in terms of scale and form as well as to retain or enhance local character and the distinctiveness of local landscapes.
7. For the avoidance of any doubt, I do not identify direct conflict with Policy S/7 of the SCLP in regard of this main issue, on the basis that it focuses on the distribution of housing and does not discuss matters of character and appearance in relation to proposals outside of development frameworks.

Location

8. SCLP Policies S/2 and S/6 outlines how growth will be managed within the district, primarily focusing development within urban areas, including within rural centres and minor rural centres. However, development outside of these development frameworks are supported by Policy S/7 in certain circumstances, including where it has been allocated within a neighbourhood plan or where it is supported by other policies of the plan, such as SCLP Policies H/15 and H/17.
9. Despite its proximity to Gamlingay and the relative accessibility of the site, the proposed dwellings would be isolated from other built development, located outside of the village, and detached from any of the other scattered dwellings within the area.
10. SCLP Policy H/15 allows for countryside dwellings of exceptional quality where certain criteria are met. Criterion a) requires that the dwelling reflects the highest standards in architecture, while Criteria b) and c) seek to ensure that the dwelling would significantly enhance its immediate setting and that its design is sensitive to the local area and wider views. The parties agree that the proposal does not meet Criterion a). In addition, as I have set out above, due to its height and ultimate prominence, the proposal would harm the character and appearance of the area. As such, it would fail to meet Criteria b) and c).
11. SCLP Policy H/17 relates to the reuse of buildings in the countryside for residential use. Whilst the appellant asserts that this is relevant, they indicate that the existing permanent structures on site are not structurally sound for conversion and that they would all be demolished as part of the development.
12. Therefore, I conclude that the appeal site would not be a suitable location for the proposed development having regard to local and national policy. It would fail to accord with Policies S/2, S/6, S/7, H/15 and H/17 of the SCLP as set out above. In addition, the proposal would conflict with the provisions of the Framework where it seeks to avoid the development of isolated homes in the countryside.

Need for the proposed development

13. The proposed development would provide accommodation for a family, including one child who suffers from social and emotional difficulties. Therefore,

I have had regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010. The duty includes having regard to the need to eliminate discrimination, harassment, and advance equality of opportunity between those sharing relevant protected characteristics and those who do not.

14. I note the needs of the child and understand that the proposal would provide a single-family home where the entire family could reside, offering much needed structure and routine alongside other practical and emotional support for the child in question. However, there is no evidence to suggest that the proposal before me is the only way of providing the required support.
15. Therefore, mindful that I have found that the development harms the character and appearance of the area and conflicts with the spatial strategy, I am satisfied that the legitimate aims to retain or enhance local character and the distinctiveness of local landscapes as well as to site development in the most sustainable locations, can only be safeguarded by a dismissal and PSED considerations do not lead me to an alternative view in this case. Moreover, following careful consideration of the duty to advance equality of opportunity, I am satisfied that the impact of dismissing this appeal would be acceptable and justified.

Other Matters

16. Policy GAM8 of the GNP requires contributions towards new infrastructure for walking, cycling and horse riding and sets out a tariff of £10 per square metre of gross internal floor space provided. The appellant has provided a signed planning obligation to this effect. As such, I am satisfied that the requirements of this policy would be met.
17. The appellant states that a landscaping scheme, biodiversity net gain and sustainable technologies would be implemented as part of the proposal. However, I have not been provided with any details and such schemes would be expected of any well-designed development. The proposal would provide a permanent residence in place of the existing caravans and contribute to the permanent housing stock in a relatively accessible location. Whilst short term employment would be provided during the construction of the property, as the family is already in residence on the site there would be no change in terms of the long-term benefits to the local economy and community by helping to sustain the vitality and viability of the existing settlement. Overall, the social and economic benefits of one additional dwelling would be negligible. As such, these benefits do not outweigh the harm I have identified above.

Conclusion

18. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR