



Appeal Decision

Site visit made on 17 July 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2024

Appeal Ref: APP/V0510/W/23/3330257

Poppies, Eye Hill Drove, Soham, Cambridgeshire CB7 5XF

- 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 Roseann Allum against the decision of East Cambridgeshire District Council.
 - The application Ref is 22/01485/FUL.
 - The development proposed is the construction of 1no. single storey 4 bedroom eco home to land rear of Poppies Bungalow.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether the appeal site is suitable for the proposed development, having regard to local and national policy.

Reasons

3. Policy GROWTH 2 of the Local Plan (LP) sets out a locational strategy (the strategy). It seeks to focus the majority of new development on the market towns of Ely, Soham and Littleport, which have a wide range of jobs, services and facilities, thereby helping to reduce the need to travel. Limited development within a defined development envelope also forms part of the strategy to help support local services and community activities. Having regard to the need to protect the countryside and setting of towns and villages, development outside of these envelopes is strictly controlled and restricted to specified categories which may be permitted as an exception.
4. The appeal site lies outside of any settlements that the strategy identifies for growth, and none of the policy exceptions apply to the proposal. As such, it is not supported by LP Policy GROWTH 2 even though it is located away from the setting of towns and villages and is not within an undeveloped area of countryside.
5. The nearest settlements where facilities, services and employment opportunities can be found, is a considerable distance away and would be accessed, for much of the route, along unlit roads with no footway and subject to the national speed limit. As a result, it is unlikely that the occupants of the proposal would walk to such settlements, particularly during times of darkness and inclement weather. The speed of vehicles along the route would also be likely to be off-putting for all but the most competent and confident cyclists. Furthermore, there is no evidence before me that the occupants would have

access to a frequent bus service from nearby bus stops, thereby providing a realistic alternative mode of transport. Consequently, the future occupants would be highly dependent on the use of private cars for most of their day-to-day needs.

6. The Council has referred to paragraph 84 (previously 80) of the National Planning Policy Framework (the Framework) which states that development of isolated homes in the countryside should be avoided unless one or more identified circumstances apply. 'Isolated' is not defined in the Framework but the Braintree judgement¹ sets out that it simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is 'isolated' is a matter of fact and planning judgement for the decision maker.
7. The site is not isolated as it is positioned amongst other dwellings and commercial buildings. However, the Framework highlights, at paragraph 83, that to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Nonetheless, in view of the accessibility concerns I have identified, the benefits of the proposal, due to the support it would give to services in a nearby settlement, would be minimal.
8. Accordingly, I find that the appeal site is not a suitable location for the proposed development and would be contrary to the locational strategy set out in LP Policy GROWTH 2 and to the Framework.

Other Matters

9. The Council states that it has a five-year housing land supply and that there is not a shortfall in delivery. This is not disputed by the appellant. As such, notwithstanding the high level of demand, current policy is meeting the housing requirements of the area. Thus, although appreciating that the Framework seeks to boost supply, I attach limited weight to the provision of a single, self-build family dwelling as proposed. Benefits to the local economy would also be limited due to the small scale of the scheme.
10. Paragraph 139 of the Framework sets out that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability. Albeit not as stringent a test as set at paragraph 184e), this is a high bar. In this case, although the house is well designed and would incorporate many 'eco' features, there is nothing sufficiently compelling before me that demonstrates that it is outstanding or innovative. For this reason, I find that it should be given limited weight in favour of the appeal proposal.
11. The appellant has referred to planning permission for a detached two storey dwelling and a commercial development for Barcham Trees Ltd which are both adjacent to the appeal site. However, as I have not been provided with the circumstances that led to such decisions, I cannot be certain how they compare to this appeal proposal. Consequently, whilst consistency of decision making is important, such decisions do not alter my findings in this case, which are based on the evidence that is before me.

¹ *Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd* [2018] EWCA Civ 610

Conclusion

12. Overall, the proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.

13. Therefore, the appeal is dismissed.

Elaine Moulton

INSPECTOR