



Appeal Decision

Site visit made on 19 February 2025

by **John Felgate BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/W0530/W/24/3352408

Land West of Telephone Exchange, Bourn Road, Caxton, Cambs CB23 3PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Searle against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/02230/PIP.
 - The development proposed is the erection of one self-build dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for the erection of one self-build dwelling on land to the west of the Telephone Exchange at Bourn Road, Caxton, Cambs CB23 3PP, in accordance with the terms of the application, Ref 24/02230/PIP, and the plans submitted with it.

Preliminary matters

2. The appeal seeks permission in principle, in accordance with the provisions of Section 58A of the Town and Country Planning Act 1990, as amended by Section 150 of the Housing and Planning Act 2016. In such applications, the matters for consideration are limited to the location, land use and amount of development proposed. All other matters are considered as part of a subsequent technical details consent process, and any conditions or obligations may only be imposed or entered into at that stage. I have considered the appeal on this basis.
3. In the present case, the application is accompanied by a proposed block plan, floor plans and elevations. In view of the above, I have treated these as illustrative.
4. The appeal is also accompanied by a draft legal undertaking, which is evidently intended to ensure that the proposed new dwelling would be constructed and occupied as a self-built or custom-built development. Given the above, the undertaking would not be capable of having any legal force in relation to the present application, even if it were executed. However, it is not disputed that an obligation of this nature could be effective at the technical details stage, subject to further consideration of the detailed wording which would then be necessary. I have treated the present draft document as an indication of the appellant's willingness in principle to enter into such an obligation.
5. A previous appeal, in respect of an earlier proposal for outline permission for one self-build dwelling on the site, was dismissed in June 2021¹. I have taken account of this previous decision, and of the importance of consistency in decision-making.

¹ APP/W0530/W/21/3267194

Main issues

6. In the light of the Council's reasons for refusal, and all the other submissions before me, I find that the main issues in the appeal are:
 - whether the proposed development would accord with the relevant planning policies relating to the location of new housing development in the District;
 - whether it would accord with relevant policies relating to sustainable travel;
 - the effects of the development on the character and appearance of the area;
 - and the need for sites for self-build or custom-build housing.

Reasons for decision

Housing location policies

7. The relevant development plan policies are those of the South Cambridgeshire Local Plan (the SCLP), adopted in September 2018. Caxton is identified as an Infill Village. On the Policies Map, the appeal site is located outside the development framework boundary for the village.
8. Policy S/6 sets out the overall development strategy. The District's need for homes and jobs is to be met as far as possible around the city of Cambridge, and in new settlements, and at designated rural centres. Elsewhere, development is to be limited to that which is consistent with the level of local services and public transport, in accordance with the plan's rural settlement policies.
9. Policy S/7 makes clear that most such development is to take place on sites within village frameworks or allocated land. Outside those boundaries, development is restricted to uses which can demonstrate a need for a countryside location.
10. Policy S/11 sets out the approach to development in Infill Villages. Schemes should be within the village boundary, and should not normally exceed two dwellings. Sites should either comprise a gap in a built-up frontage, or result from a subdivision, conversion or redevelopment opportunity.
11. In the present appeal, although the proposal is for a scale of development permissible within an Infill Village such as Caxton, the site is outside the village boundary. Furthermore, whilst it would adjoin an existing row of houses on one side, it does not represent a gap in that frontage. In these respects the scheme fails to meet the requirements of Policy S/11. In addition, as a dwelling unrelated to any agricultural or similar need, the proposal is also contrary to Policy S/7. In the absence of any support from either of these policies, the scheme conflicts with the overall strategy in Policy S/6.
12. On this basis, it is evident that the proposed development fails to accord with the most relevant policies of the SCLP relating to the location of new housing.

Sustainable travel

13. In addition to the above settlement policies, SCLP Policy TI/2 seeks to ensure that developments are located to reduce the need to travel, particularly by car, and to promote sustainable transport modes appropriate to their location.

14. In the present case, Caxton itself has a pub, church, village hall and recreation ground, but few other facilities of note. However, schools, shops, health services and a large modern business park are all available at the new settlement of Cambourne, which is nearby. Walking and cycling connections between Caxton and Cambourne have been recently upgraded. Journeys to these facilities, even if by car, would be relatively short. All such trips, by whatever mode, would also help to support the viability of services of benefit to the wider rural area.
15. Buses to Cambridge and St Neots are said to stop within 100m or so from the site. Whilst this section of Bourn Road lacks proper footways, the distance is short, lighting is provided, and the speed limit is 30mph. And although the service may not cover all periods of the day, the times would appear to be suitable for commuting to work and schools. By rural standards, the site seems to me to have reasonable accessibility by bus.
16. Having regard to the terms of Policy TI/2, I accept that if that policy were to be read in isolation, it would not appear to support the appeal scheme, or indeed any development in the District's smaller villages. But to my mind that approach would be erroneous, because the SCLP is designed to be read as a whole. Policy TI/2 is therefore to be read alongside the plan's other policies, including Policy S/11 which, as set out above, expressly allows for some small-scale developments in Infill Villages. In the present case, even though the appeal site is outside the village boundary, it seems to me to be reasonably sustainable for a small windfall site in a village of this category.
17. In addition, Policy TI/2 is also to be read alongside the National Planning Policy Framework (the NPPF). Paragraph 110 of the NPPF recognises that, whilst significant development should be focussed on sustainable locations, in rural areas the opportunities for sustainable transport solutions will not be as great as in urban areas. And in this context, paragraph 83 is also relevant. That paragraph encourages rural housing to be located where it can enhance the vitality of communities, including where development in one village may help to support services in another nearby. To my mind these paragraphs, read together, support a more flexible approach to the application of policies such as Policy TI/2 in rural areas, particularly in the case of small developments such as the present appeal proposal.
18. I am aware that in the 2021 appeal decision, the inspector found conflict with Policy TI/2. But nevertheless, I must reach my own conclusions, taking account of all the evidence and submissions before me. On this matter, I respectfully disagree and reach a different conclusion, for the reasons explained above.
19. I therefore conclude that the development now proposed would not have any material effect on the SCLP's aims for sustainable travel. As such, it would not involve any significant conflict with Policy TI/2.

Effects on the area's character and appearance

20. SCLP Policy S/2 states that one of the plan's key objectives is to protect the District's character, including its built and natural heritage. Policy NH/2 seeks to protect the character and distinctiveness of the local landscape.
21. The appeal site lies on the south side of Bourn Road, and on the edge of Caxton village, within an area of small, enclosed fields and paddocks, farmsteads and

sporadic housing. The site itself is a rectangular parcel of rough grassland, bounded by hedges on its northern and western sides. It contains no landscape features of any note. On the opposite side of Bourn Road is a continuous row of a dozen or so houses which are within the village boundary. To the east of the site is the single-storey Telephone Exchange building, and a loose row of three or four houses, leading out of the village. To the west is a small triangular parcel of overgrown land, and beyond this is the main village street of Ermine Street/Royston Road. To the south of the site is an irregularly shaped paddock with stables, and the backs of two houses which front onto Royston Road. On its southern side, this paddock is bounded by the wooded banks of Bourn Brook. A public footpath leads from Bourn Road, along the side of the appeal site, then alongside the Brook and under the realigned A1198, towards Bourn village.

22. Travelling from west to east along Bourn Road, away from the village centre, the triangular parcel on the southern corner presents a wooded frontage which contrasts with the built development on the northern side. This impression continues along the front of the appeal site, with its hedged boundary, albeit that this is a much shorter frontage than the corner site. Together, these two parcels convey a sense of partial transition, from the village to the countryside. However, the transition is only a partial one, because although the appeal site and the neighbouring plot are undeveloped, there is no visual connection with the countryside beyond. Moreover, the change is also a gradual one, because beyond the appeal site itself, housing reappears on the southern side of the road, and continues on both sides for some distance. Visually, the final point of exit from the village is only reached where the housing stops, just before Bourn Road's bridge crossing over the A1198.
23. Travelling in the opposite direction, the sequence is reversed, but the impression gained is the same, that the A1198 bridge marks the visual entry point to the village and the start of the transition from countryside to village. From the public footpath, the housing on the south side of Bourn Road comes into view at a point near the stables. Although the development on the north side is not visible from this viewpoint, the backs of the Royston Road houses are seen at close range, reinforcing the impression of a transition zone, containing a mixture of both open land and built development.
24. The new dwelling now proposed would extend the existing group of houses on the south side of Bourn Road slightly, reducing the gap between the Telephone Exchange and the village by a small amount. But the development would be seen only in relatively close-range views, from Bourn Road and the public footpath, and in all of these, it would be seen in the context of the existing housing. In this location, the new dwelling would to my mind appear as a natural extension to the existing row of houses. The development would not intrude into the more open country further to the east, nor would it affect any important views into or out of the village. As such, its visual impact would be limited to its immediate vicinity, with no impact on the wider landscape. Detailed design would be a matter for the technical details stage, but having regard to the illustrative plans submitted, there seems no reason why an acceptable design for this location should not be possible.
25. The development would involve a small loss of openness to the road frontage, and thus a modest change to this part of the village's setting. However, to my mind, this effect would be quite minor. In this regard my finding again differs somewhat

from that of the previous inspector, but having taken account of the contents of that decision, together with the submissions before me now, and my own observations on my visit, I am satisfied that the overall impact on the character and appearance of the area would be no more than slight. In these circumstances, I find no conflict with the relevant provisions of Policies S/2 or Policy NH/2.

Self- and custom-build housing

26. Under Section 2A of the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), local planning authorities are under a duty to grant a sufficient number of suitable permissions to meet the demand for self- and custom-built housing within their area. This demand is to be measured by the number of new applicants entered on the local Self-Build Register in each base period; and that number must be matched by new suitable permissions granted within 3 years of the end of each relevant base period. Under Section 2 of the same Act, authorities must have regard to the Register when carrying out their planning functions, including making decisions on planning applications.
27. In the NPPF, paragraph 63 identifies ‘people wishing to commission or build their own homes’ as a distinct section of the community, whose specific housing needs should be assessed and reflected in planning policies.
28. In South Cambridgeshire, the SCLP seeks to address this need through Policy H/9, which requires that plots for self- and custom-build housing are to be included in all housing sites of 20 or more dwellings. However, despite this policy having been in place for several years, it is not disputed that the District currently has a substantial shortfall of self- and custom-build permissions compared to the number of new entries on the Self-Build Register.
29. According to the appellant’s figures, the cumulative shortfall up to September 2024, was estimated to be at least 332 plots. That estimate included permissions granted to the end of base period 3. Subsequently, the appellant has drawn attention to new figures said to have been published by the Council, which take account of base period 4, suggesting that the deficit has grown by a further 86 plots, making a total current shortfall of over 400 plots. Whilst the Council has not commented in detail, it acknowledges that a shortfall exists. In the absence of any other detailed submissions, I see no reason to doubt that the appellants’ evidence is well-founded.
30. I note that in an appeal decision relating to a site at Willingham², the inspector found a lack of clear evidence regarding the need for more self-build plots in South Cambridgeshire, but that decision was over three years ago, and took account of the position only up to the end of base period 2. In two subsequent appeal decisions³, at Caxton (off St Peters Street) and Kneesworth, the inspectors found significant shortfalls and a deteriorating demand/supply situation. I also note that in a number of other more recent cases, including another at Caxton (off Ermine Street) and two at Bourn, the Council itself has granted permissions for self-build developments outside village boundaries, largely on grounds relating to the shortfall, with the scale of the admitted deficit ranging from 189 to 261 plots. On

² APP/W0530/W/21/3274489 (Willingham, February 2022)

³ APP/W0530/W/21/3282234 (Caxton, redetermined August 2023), and APP/W0530/W/23/3322754 (Kneesworth, November 2023)

the balance of the evidence, I am satisfied that the shortfall in provision for self- and custom-build in the District is both substantial and persistent.

31. The Council suggests that the benefit of providing just one additional plot would be small in relation to the size of the shortfall, and that this should therefore carry limited weight. But that approach seems flawed, as it would appear to mean that the larger the shortfall, the less would be the weight. In any event, this would also offer little prospect that the deficit could be made good within a reasonable period, especially as there is no evidence that large numbers of self-build plots are likely to come forward through other sources.
32. In the circumstances, I consider that the need for self-build plots, and the benefits of the appeal proposal in meeting part of that need, should command substantial weight.

Other matters

33. The appeal site adjoins the Caxton Conservation Area (the CA), which includes the undeveloped triangle of land immediately to the west. However, there is no suggestion that that parcel of land has any historic significance of its own, other than as part of the setting of the village's main core. The Council accepts that, subject to detailed design, the setting of the CA could be adequately protected from harm. I agree, and on this basis I am satisfied that the heritage asset's character and appearance would be preserved.
34. In addition to the policies identified above, the Council's refusal notice also refers to SCLP Policy S/3. However, that policy does little more than confirm that decisions will be made in accordance with the NPPF's presumption in favour of sustainable development. In the present case, whilst I have taken account of the relevant NPPF advice, Policy S/3 does not seem to me to add any further weight in support of the Council's position.
35. Some neighbouring occupiers would experience a change in the view from their windows or gardens. However, planning policies do not normally seek to protect purely private views of this nature in the same way as views that are available to the general public. In any event, I am satisfied in this case that no property would suffer any unacceptable loss of residential amenity, nor any undue impact on living conditions.
36. There is no evidence regarding any protected species or other wildlife at the site, but in any event, any necessary mitigation would be a matter for the technical details stage.
37. The concerns expressed regarding precedent are noted, but the present appeal must be considered on its own merits, and the same would apply to any future applications or appeals.

Planning balance and conclusion

38. For the reasons stated, I agree with the Council that the development would conflict with the SCLP's overall development strategy as laid out in Policy S/6, and in particular with the approach to development in Infill Villages and the countryside, in Policies S/11 and S/7 respectively. Although I have found no significant conflict with any other relevant policies, including those relating to sustainable travel or the

protection of the District's character, the conflict with the policies that I have identified means that the scheme fails to accord with the development plan as a whole.

39. But nevertheless, the need to provide for self-build and custom-build housing, and to meet the Council's legal duty in this regard, is a very important material consideration. In this case, in view of the large shortfall in permissions for this type of development in the District, and the apparently worsening position, I consider that the benefit of providing one additional plot should carry substantial weight. Some weight also attaches to the development's economic benefits, including its potential to help support local services in both Caxton and Cambourne. On balance, these considerations outweigh the conflict with the development plan. It follows that permission in principle should be granted.
40. I have taken account of all the other matters raised, but none alters this conclusion. The appeal is therefore allowed.

J Felgate

INSPECTOR