



Appeal Decision

Site visit made on 17 March 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2025.

Appeal Ref: APP/H0520/W/24/3354715

The County Kennels, Cattery and Kennels, Sapley Road, Kings Ripton, Cambridgeshire PE28 2NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Toates against the decision of Huntingdonshire District Council.
 - The application Ref is 22/01532/OUT.
 - The development proposed is described as 'outline planning application for the construction of 5 mixed sized properties, all matters reserved'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was made in outline with all matters reserved for future approval. I have treated the submitted layout plan as illustrative.
3. An additional illustrative plan (drawing no 857-2SP) was submitted at the appeal stage. This plan shows three dwellings, rather than five, although the layout of the buildings appears similar. Nevertheless, in the interests of fairness I have considered the appeal scheme based on the evidence that was before the Council and on which interested parties have been consulted.
4. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issues

5. The main issues are:
 - the effect of the proposal on the character and appearance of the site and the area; and
 - whether the appeal site is a suitable location for the proposed development, having regard to the development plan's strategy for development.

Reasons

Character and appearance

6. Policy LP 10, of the Huntingdonshire's Local Plan to 2036 adopted May 2019 (LP) refers to developments within the countryside and states that such developments will be restricted to the limited and specific opportunities as provided for in other LP policies. It requires developments, amongst other things, to recognise the intrinsic character and beauty of the countryside. Design Policies LP 11 and LP 12 of the LP collectively require, amongst other things, that developments respond positively to their context.
7. The appeal site together with other buildings and uses, including the residential care home located to the south of the appeal site and the cemetery & crematorium situated on the opposite side of the road, form a small cluster of development. This cluster of development is located outside of the built-up area of both Kings Ripton and Huntingdon and is visually separated from the two settlements by large fields and vegetation. The existing character and appearance of the area derives to a significant extent from the modest nature of the buildings and uses which incorporate considerable green open areas compatible with this rural setting.
8. The appeal site reflects the rural character and appearance of the area through the small-scale structures and the amount of greenery, as it accommodates a bungalow and several former kennels of modest scale. The site is bounded by mature vegetation, which partially screens the single storey buildings. The scale of the existing structures and the amount of greenery that surrounds a large part of the site ensures that the site is well integrated within the rural setting, and it makes a positive contribution to the character and appearance of the area. Moreover, in the context of the aforementioned policies, the appeal site is located within the countryside.
9. The proposal would replace the existing structures with five dwellings. The appellant refers to the footprint of the existing structures, and to an indicative footprint and floorspace of the proposed dwellings. Given that all matters are reserved for future approval, the footprint and floorspace of the proposed dwellings are only indicative and the design, scale and massing cannot be determined at this stage. However, wherever the proposed dwellings would ultimately be sited and whatever the scale, the proposal would result in a form of development with a domestic appearance and use. Thus, it would have an urbanising effect at odds with the prevailing character and appearance of the area. The nearby residential care home does not justify the inappropriateness of the proposal in this location.
10. Moreover, the introduction of the proposed development together with the associated domestic activities and paraphernalia would lead to a considerable intensification in the use of the land. Accordingly, the change to the character and appearance of the appeal site would be significant. Furthermore, I am unconvinced, based on the limited evidence before me, that the existing vegetation and any additional landscaping would adequately mitigate the harmful impact that the proposal would have on the character and appearance of the area.
11. The changes made to the previous scheme¹, particularly regarding the retention and protection of the existing trees, do not alter my findings above.

¹ LPA ref: 21/02806/OUT

12. Accordingly, the proposal would be harmful to the character and appearance of both the site and area. Thus, it conflicts with the aims of Policies LP10, LP11 and LP12 of the LP as set out above. The proposal would also be contrary to the aims of the Framework, which at paragraph 135 states that, amongst other things, developments should be sympathetic to the local character.

Location

13. Policy LP 2 of the LP outlines the strategy for development and states that, amongst other things, the strategy seeks to concentrate development in locations which provide, or have the potential to provide, the most comprehensive range of services and facilities.
14. The appeal site is functionally separated from the nearest settlements. Whilst the appellant indicates that the appeal site is approximately 1.5 miles from a shopping complex and about 11 minutes-walk from Jubilee Park, given that Sapley Road is a countryside road with no continuous footpaths or bicycle lanes, future residents would likely depend on private cars. Consequently, the proposal would conflict with Policy LP 16 of the LP, which states that a proposal should, amongst other things, demonstrate that opportunities are maximised for the use of sustainable travel modes. The proposal would also be contrary to the aims of the Framework, which, at paragraph 109, states that developments should identify and pursue opportunities to promote walking, cycling and public transport use.
15. Whilst the crematorium and Jubilee Park might lead to the provision of public transport facilities in the future, I have not been presented with any substantive evidence in this regard.
16. As outlined above, Policy LP 10 of the LP sets out that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies. This includes Policy LP 33 of the LP which deals with rural buildings and indicates that a proposal for the replacement of a building in the countryside will be supported where certain criteria are fulfilled and the proposal would lead to a clear and substantial enhancement of the immediate setting. The appellant considers that the proposal accords with this policy. However, I do not agree. Given my findings above regarding the harmful impact of the proposal on the character and appearance of the appeal site and the wider area, the proposed development would not lead to a clear and substantial enhancement of the immediate setting, rather the opposite. In any event, I am not persuaded that the proposal meets the other criteria.
17. Criteria a (i to iii) of Policy LP 33 requires that the building that would be replaced is redundant or disused, of permanent and substantial construction, and not in such a state of dereliction or disrepair that significant reconstruction would be required.
18. One of the buildings that would be replaced is a bungalow. Whilst the appellant indicates that the bungalow is in a poor state of repair, it has not been demonstrated that it is redundant or disused. At the time of my site visit, the bungalow was occupied. As such, while I accept that the kennels are redundant, the proposal fails to comply with criterion a (i) of Policy LP 33 due to the current use of the bungalow.

19. The kennels vary in terms of the materials used, their condition, and how they are constructed. At my site visit I observed that some of the structures, particularly those located to the north-east of the appeal site, are not of a substantial construction, mainly because of the gaps in their south-western elevation. Thus, whilst some of the kennels and the bungalow are of permanent and substantial construction, some are clearly not and consequently the proposal does not comply with criterion a (ii) of Policy LP 33.
20. Notwithstanding the materials used for some of the kennels, which include brick and concrete, all of the structures apart from the bungalow would require significant reconstruction. Thus, criterion a (iii) of Policy LP 33 is also not met. Clearly, it follows that development plan policies do not support the proposed development in this location.
21. In conclusion, it has not been demonstrated that the appeal site is an appropriate location for the proposed development having regard to the development plan's strategy for development. As such, the proposal conflicts with the aims of Policies LP 2, LP 10, LP 16 and LP 33 of the LP, and those of the Framework, as set out above.

Other Matters

22. The appellant has drawn my attention to several other developments². However, I have not been provided with their full details, nor has been demonstrated how these developments are directly comparable with the appeal proposal. In any event, I have considered the proposal based on its own merits and site-specific circumstances and the existence of these other developments does not justify harmful development at the appeal site.

Conclusion

23. The proposal would conflict with the Council's strategy for development and would be harmful to the character and appearance of the site and area, thus is contrary to the development plan when taken as a whole. The material considerations do not outweigh the harm identified. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Andreea Spataru

INSPECTOR

² LPA refs: 22/01802/FUL, 21/00276/FUL, 23/00500/FUL