
Appeal Decision

Site visit made on 20 May 2025

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 June 2025

Appeal Ref: APP/W0530/W/25/3358407

21 Manor Farm Close, Oakington and Westwick, Cambridgeshire CB24 3AT

- 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 Millen Homes Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/02384/OUT.
 - The development proposed is 8 dwellings
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made against South Cambridgeshire District Council by Millen Homes Ltd. This application is the subject of a separate decision.

Preliminary Matters

3. The application was submitted in outline with all matters reserved for future consideration, except for access. I have considered the appeal on this basis. The proposal includes some indicative plans. I have had regard to these insofar as they depict how the development could be carried out.
4. Whilst not referenced by the Council in the decision notice, the Council's statement of case includes a Community Infrastructure Levy Compliance Statement which sets out the planning obligations which are sought by the Council in relation to the provision of specified infrastructure items. As this matter is potentially determinative to this appeal, I have elevated this matter to a main issue.

Main Issues

5. The main issues are:
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to vibration and emissions;
 - whether the proposal is in a suitable location for housing, with regard to the Council's spatial strategy and access to services and facilities;
 - the effect of the proposal on highway, pedestrian and cyclist safety; and
 - whether the proposal makes appropriate contributions towards the provision of infrastructure.

Reasons

Living conditions

6. The site comprises a plot of open land. The proposed 8 dwellings would be accessed via an existing field access from Manor Farm Close which is sited between the existing dwellings 16 and 21 Manor Farm Close. The access would pass close to these properties, as well as the rear garden areas. I observed at my site visit that neither property contains windows within the side elevation facing the site access. No 21 contains built form to the site boundary which comprises a garage with a bedroom over and No 16 is stepped in from the site boundary.
7. The Council raise concerns regarding the potentially harmful effects of vibrations and emissions on the occupiers of Nos 16 and 21, given the close proximity of the access to these properties. In considering this matter I have taken into account the existing conditions onsite. The existing field access establishes a base line for the living conditions experienced by the occupiers of these dwellings. Given the nature of this access, traffic and other movements along this route are currently limited. Given this the occupiers of these properties experience limited disturbance from the current use of this access.
8. The number of vehicular movements would be relatively limited given the scale of the proposed development and there is no evidence that emissions from vehicles using the access would be harmful to the occupiers of neighbouring properties. Nonetheless, the proposal would increase vehicle movements over the course of a day, and I have not been presented with any firm evidence which demonstrates that these vehicular movements would not cause vibrations to Nos 16 and 21 given the proximity of the access to these properties. Given this, there is the potential for vibrations associated with the proposed access to detrimentally impact the living conditions of the occupiers of these properties.
9. It has not been adequately demonstrated that the proposal would not have a harmful effect on the living conditions of the occupiers of Nos 16 and 21, through disturbance caused by vibrations. Thus, conflict arises with those aims of South Cambridgeshire Local Plan (2018) (LP) policies HQ/1 and TI/2 which require that proposals protect the health and amenity of occupiers and surrounding uses from development that would create unacceptable impacts such as noise, vibration, odour, emissions and dust and which require that developers demonstrate they will make adequate provision to mitigate the likely impacts.

Spatial strategy

10. The site is bordered by residential development on 3 sides and by agricultural land which has outline planning permission for residential development (the Northstowe development). The site is located adjacent to the development framework for Oakington in which only allocations within Neighbourhood Plans and other specified development will be permitted. The proposal is not for any of those uses listed by LP policy S/7.
11. Oakington is identified by Policy S/10 as a Group Village. Policy S/10 identifies an indicative maximum for residential development within the development frameworks of Group Villages. Whilst the proposal would not exceed that indicative maximum, given the site's location outside the development framework, the proposal would not be supported by this policy.

12. I have been provided with a parameters plan for the Northstowe development, which indicates that there would be a landscaping buffer of a considerable depth separating built form and the appeal site. The appeal proposal would appear as part of the existing settlement and would not project further into the countryside than existing development or result in the coalescence of Oakington and the Northstowe development.
13. The development would have access to facilities and services in Oakington, including a public house, primary school, recreation field and village store which are a reasonable walking or cycling distance from the site. The difference in accessibility with other parts of Oakington would, in my view, be negligible.
14. I have limited information before me regarding public transport serving Oakington. Access to medical facilities, secondary education, supermarket shopping and specialised services would likely result in additional vehicular movements to larger settlements. Given this there would be a degree of dependence on private vehicles, the least sustainable form of transport. Nonetheless, it is to be expected, as the National Planning Policy Framework (the Framework) indicates, that some travel by private vehicle is likely in rural areas such as this and nearby settlements, including Cambridge, are not so distant that long journeys would occur. For these reasons, the site's location cannot be described as being entirely unsustainable.
15. Drawing together the above, although the proposal would be located outside of the development framework, given the relationship between the site and Oakington, the proposal would not undermine the Council's wider development strategy which seeks to guard against incremental growth in unsustainable locations. In light of this I find no conflict with those aims of LP policies S/2, S/3, S/7 or TI/2.

Highway safety

16. The vehicular access would measure between 4.02 and 4.07m and would incorporate a 1.5m virtual footway finished in a different colour to the road. This would be of sufficient width for a large car and a cyclist or pedestrian to pass. 'Pedestrians in the road ahead' warning signs are proposed. There is no compelling evidence that drivers would not be aware of the highway conditions at the site access or that it would be necessary for vehicles using the access to encroach upon the footway. Whilst the proposal does not incorporate a dedicated cycleway, there is no evidence that the virtual footway would be undesirable for pedestrians and cyclists, including those with disabilities, noting the visibility along the access in both directions.
17. In light of the above, and in the absence of evidence to the contrary, I am satisfied that the access arrangements would give sufficient priority to pedestrians and cyclists and would not increase the risk of accidents with vehicles and other road users using the proposed site access which would constitute an unacceptable impact upon highway safety. Therefore, I find no conflict with LP policies S/2 or HQ/1 which seek to ensure ease of movement and access for all users and abilities and maximise potential for journeys to be undertaken by sustainable modes of transport including walking and cycling.

Infrastructure

18. The Council set out that the proposal generates the requirement for contributions towards infrastructure including indoor and outdoor sports, play space, green

infrastructure, community space and household waste receptacles. The Council has set out the infrastructure projects which these contributions would be spent on. No planning obligation to secure these infrastructure contributions has been submitted.

19. LP policy SC/4 states that all housing developments will include or contribute to the provision of the services and facilities necessary to meet the needs of the development. The supporting text to LP policy SC/4 states that, reflecting the Planning Practice Guidance (PPG), the Council will not seek tariff style Section 106 contributions for general off site infrastructure improvements from sites under 10 dwellings and which have a combined gross floor space of no more than 1,000m².
20. The Council suggest that contributions are required on the basis that the site layout plan shows a combined gross floor space in excess of 1,000m². As an outline application with the matters of scale and layout reserved for future consideration, plans which show the floor space are only indicative. The appellant states that the combined gross floor space of the dwellings would not exceed 1,000m². This is a matter which I consider could be adequately dealt with by a condition controlling the maximum combined gross floor space of the dwellings. I have not been presented with any compelling evidence that it would not be feasible for the development to be designed to comply with this requirement.
21. Whilst the proposal would comprise 'major development' as defined in the glossary to the Framework based on the site area, there is no suggestion that the proposal would exceed 1000m² in floor space. Given this the proposal would be below the threshold for contributions towards community facilities and services as required by LP policy SC/4. I therefore find no conflict with the aims of this policy or LP policy TI/8 which sets out that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.

Other Matters

22. LP Policy 3 states that the housing trajectories for Cambridge and South Cambridgeshire, as updated each year in the Annual Monitoring Report, will be considered together for the purposes of phasing of housing delivery, including for calculating 5-year housing land supply in development management decisions that concern housing development. The Greater Cambridge Housing Trajectory and Housing Land Supply Report (April 2025) (HLSR) states that, collectively for Greater Cambridge, Cambridge and South Cambridgeshire Councils jointly have a 5.5 years supply of housing land for 2025-2030.
23. Taking into account the guidance in the PPG on the matters which should be taken into account when considering whether there is a reasonable prospect of development coming forward, I have not been presented with any compelling evidence that there is not a reasonable prospect of development coming forward on the sites which have informed the HLSR calculation. There is no evidence that the HLSR does not accurately establish that the Council is able to demonstrate a 5-year housing land supply. Thus, I am satisfied that the provisions of Paragraph 11d of the Framework do not apply.
24. The appellant references an absence of evidence of self-build delivery within the HLSR. However, as the appeal proposal is for 8 market dwellings, as set out on the

planning application form, this is not a matter which is pertinent to the appeal proposal. Therefore, I have not considered this matter.

25. I have given consideration to the various matters raised in the appellant's submission, including in respect of flooding, ecology, trees, archaeology and noise disturbance. However, even if I were to reason that the scheme were acceptable in these respects, or could be made so via conditions, the absence of harm in these regards does not weigh in favour of the proposal, as it would be required in any event. Therefore, these matters are neutral in the overall planning balance.
26. Reference is made to the sustainability benefits of the scheme including the incorporation of solar panels, EV charging and high standards of insulation to the proposed dwellings. However, details of these matters are not before me to give any substantial credence to.
27. The proposal would provide 8 dwellings on a small site which adjoins the development framework, where there would be potential for some journeys to be made by sustainable means. The proposal would make a small contribution towards the borough's housing supply, consistent with the Government's objective to significantly boost the supply of homes. There would also be some economic benefits during the construction phase as well as any potential Council tax that future occupiers might pay. However, these benefits do not outweigh the potentially harmful effect on the living conditions of the occupiers of neighbouring properties identified in relation to the first main issue.
28. The proposal follows a previously-refused application¹ and the appellant has sought to address the reasons for refusal. However, for the reasons set out above, the proposal has failed to demonstrate that the effect of the development on the living conditions of the occupiers of Nos 16 and 21 with regard to vibration has been addressed.

Conclusion

29. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

N Robinson

INSPECTOR

¹ 23/01207/OUT