Planning Inspectorate

# Appeal Decision

Site visit made on 22 July 2025

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 August 2025**

**Appeal Ref: APP/W0530/W/25/3361714**
**Ashlea Network Ltd, Network House, St. Neots Road, Caldecote, CB23 8AY**

- 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 Dr Harriet Gray Stephens, Ashlea Network Ltd against the decision of South Cambridgeshire District Council.
- The application Ref is 24/04113/FUL.
- The development proposed is **e**rection of 1no dwellinghouse on site of former office building.

## Decision

1. The appeal dismissed.

## Main Issues

2. The main issues in this case are: i) the suitability of the site in terms of sustainability; and ii) the effect of the proposal on the character of the area.

## Reasons

3. The site is situated on St. Neots Road, to the north-east of the village of Caldecote, but outside the village framework. Development on this part of St Neots Road is linear in character, comprising bungalows and one and a half storey detached dwellings located on long, large plots. There is a clear distinction between this part of St Neots Road and the more concentrated development to the east at Hardwick, and Highfields Caldecote to the southwest. It is described in the Caldecote Design Guide Supplementary Planning Document, adopted January 2020, as the St Neots Road Character Area. It is a scattered, spaced-out area of development of various eras, with plot divisions dating back to the early 20th century, similar to that of Highfields.

4. As paragraph 2 of the National Planning Policy Framework (NPPF) points out, “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”. Policy S/7: ‘Development Frameworks’ of the South Cambridgeshire Local Plan (LP), adopted September 2018, at part 2, states that “Outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted”. The site does not come within the exceptions categories of this policy. The site is not in a sustainable

location as it is most likely that future occupants would largely rely on private motor vehicles for everyday needs.

5. As background, Prior Approval was granted for the demolition of office buildings and construction of 7 flats in their place. In addition, permission has been granted for the erection of two detached dwellings on the site on the former office building and, as I saw at my site visit, work has commenced on these.

6. For the appellant it is argued that the appeal site is committed as residential (garden) land owing to the implementation of the approval 23/02279/PRIOR and the ongoing ability to implement that approval. Thus, it is claimed, the land falls under exception in LP Policy H/16, “Development of Residential Gardens” to permit additional residential development. However, I do not accept these contentions. The prior approval may have been ‘begun’, probably by the act of demolition, but it can no longer be carried out. This is because the 2 houses nearing completion cover the site of the previously existing buildings that led to the prior approval, and therefore that approval cannot be built in accordance with the approved drawings. Even if ‘Flat 7’ is outside the curtilages of the 2 new houses, it cannot be separated from the remainder of the approval since it would need to rely on parts of the scheme that is now prevented.

7. Turning to the issue of the St Neots Road Character Area, this is a scattered, spaced-out area of development that fronts onto the road, and is not an area that has been recognised for development in the development plan. Whilst there have been permissions given for some substantial developments in the general area, I have no understanding of the background to these, and they do not sway my decision in this case. There are also large developments being planned, such as Bourn Airfield New Village, but as I understand it, these remain proposals that will go through the planning making process. In any event, a nearby properly planned area with all its infrastructure and facilities does not justify piecemeal development in the area.

8. The appeal proposal would consolidate development in the St Neots Road character area, by adding to the 2 houses that are in the course of construction. They, and the proposed house, would be seen through the entrance to the site, irrespective of planting on the site frontage.

9. Finally, I need to deal with the contention that arises from consideration of NPPF paragraph 11 d) ii. In April 2024 Cambridge City and South Cambridgeshire stated that the housing trajectory for the five-year period from 1 April 2024 to 31 March 2029 was 11,190 homes, equating to a demonstrated housing land supply of 6.5 years. But in December 2024 the government increased the joint housing target by around a third, from 1,726 to 2,309 homes per year, and a buffer was also introduced which means the Greater Cambridge Shared Planning (GCSP) service needs to be able to demonstrate a supply of just over 12,100 homes in Greater Cambridge over five years. That new target, effective immediately, meant that the supply had fallen to just under 5 years.

10. This was the position throughout the period of the consideration of the application by the council. The 5.5 year housing supply was not achieved until after the determination date, and even the agreed extension date of 27 January 2025. The appellant considers that the provisions of NPPF paragraph 11 d) ii should have

been applied at that time, and should also be applied in the consideration of this appeal, because it was a relevant consideration at the time of the refusal notice.

11. I do not accept this contention. When an appeal is made, the position is that it is the policies and other material considerations applicable at the time of the appeal decision that are relevant, even if they are new policies that have been adopted since the decision on the application, or in the case of the NPPF, a new version has been published in the interim. Of course, this requires that the parties must have had an opportunity for comment. Therefore, I am satisfied that currently the council is able to demonstrate a 5-year housing land supply, and the NPPF paragraph 11 provision the appellant relies upon does not apply.

**Conclusion**

12. For the reasons that I have set out above, the appeal proposal contravenes policy S/7 of the South Cambridgeshire Local Plan which follows on from the more general policies that are also referred to, and it is not in a sustainable location. The proposed development would also be detrimental to the St Neots Road Character Area since it would have an urbanising effect. There is no fallback position to counter these matters, and no other justification that would outweigh the refusal reasons. Therefore the appeal will be dismissed.

*Terrence Kemmann-Lane*

INSPECTOR