



Appeal Decision

Site visit made on 1 August 2025

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/W0530/W/25/3365536

Four Acre Piggery, Teversham Road, Fulbourn, Cambridgeshire CB1 9AN

- 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 Mr Ian Gaze against the decision of South Cambridgeshire District Council.
 - The application Ref is 24/04285/OUT.
 - The development proposed was originally described as “Build a house on land used to park and store cars, trucks and lorries for the last 30 years.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application subject to this appeal was for outline planning permission with all matters reserved for future approval. Therefore, I have treated any reference to the matters of access, appearance, landscaping, layout, and scale, as indicative.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - whether the proposed development would be in an appropriate location, having regard to the accessibility of services and facilities; and,
 - whether other considerations clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.

Reasons

Green Belt – principle

4. Policy S/4 of the South Cambridgeshire Local Plan, September 2018 (LP) states that new development in the Green Belt will only be approved in accordance with Green Belt policy in the Framework. Paragraph 154 of the Framework indicates that development in the Green Belt is inappropriate unless one of the specified exceptions apply. Exception 154(g) indicates that the complete redevelopment of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt, would not be inappropriate development.

5. The term previously developed land is defined in Annex 2 of the Framework. It states land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land. It goes on to explain this excludes land that is or was last occupied by agricultural buildings.
6. The appellant contends that the appeal site has been used to park and store vehicles for the last 30 years. In addition, they indicate that the buildings behind the appeal site are three industrial units. However, the Council contend that the buildings to the rear of the site are agricultural barns. I acknowledge that three certificates of lawfulness¹ have been issued for the change of use of land or buildings from an agricultural use to storage. Nonetheless, the details of these certificates are not before me. Therefore, it is unclear which buildings or areas of land these certificates apply to. Moreover, it is not clear whether the existing use of the appeal site is lawful.
7. Without further evidence I cannot definitively conclude that the appeal site comprises of previously developed land. Consequently, I cannot conclude that the proposal would conform with the exception to inappropriate development in the Green Belt, specified in paragraph 154(g) of the Framework.
8. Paragraph 155 of the Framework states the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the specified conditions apply. The condition specified in paragraph 155(b) of the Framework is that there is a demonstrable unmet need for the type of development proposed. Footnote 56 indicates in cases involving the provision of housing, an unmet need means the lack of a five year supply of deliverable housing sites or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years.
9. When the Council determined the planning application, it was unable to demonstrate a five year supply of deliverable housing sites. However, within its Appeal Statement the Council now indicate it is able to demonstrate a five year supply of deliverable housing sites. This has not been contested by the appellant. There is also no indication that the latest Housing Delivery Test result for the area was below 75%.
10. I acknowledge the Council has stated there is a need for housing and self-build units, therefore, the proposed development would comply with paragraph 155(b). Nonetheless, the conditions specified in Footnote 56 of the Framework are closed tests. Accordingly, for the reasons given above, the proposal would not comply with the condition specified within paragraph 155(b) of the Framework. Therefore, the proposed development of this home would still be regarded as inappropriate when assessed against paragraph 155 of the Framework.
11. I conclude that the proposal would be inappropriate development in the Green Belt. It would be contrary to LP Policy S/4 and paragraphs 154 and 155 of the Framework, for the reasons given above.

¹ Certificate references: 23/04574/CL2PD; 24/00521/CL2PD; and 24/02459/CL2PD.

Green Belt – openness

12. Paragraph 142 of the Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of the Green Belt are their openness and their permanence.
13. As the application subject to this appeal was for outline planning permission with all matters reserved for subsequent approval, details of the proposed access, landscaping, layout, and appearance and scale of the proposed dwelling are not before me. Nonetheless, the proposed dwelling would be sited in the middle of an existing compound which already accommodates several large buildings. Furthermore, it would not encroach upon the open fields either side of the compound. Given the orientation of the appeal site and the existing development, the proposed dwelling would likely be well-screened from public views.
14. However, there would still be some views of the development from the north and south. The proposal would also lead to the intensification of residential activity within the existing compound and would increase the amount of permanent built development within the appeal site. This would be partially offset by the loss of the existing use and activity associated with the site. On balance the proposal would have a harmful effect on the openness of the Green Belt, but the extent of this harm would be limited.

Accessibility

15. The appeal site is in proximity to residential development, which is clustered around Teversham Road, between the settlements of Fulbourn and Teversham. As such, it is not isolated. Notwithstanding this, the nearest facilities necessary to support everyday living tend to be within Fulbourn and are approximately between 0.5 and 1.5 miles away. These services include a convenience store, school, and a medical centre. There is also employment opportunities close to the appeal site.
16. This section of Teversham Road is subject to the national speed limit. However, long sections of the road are subject to a 30mph speed limit. There are also streetlights along the full length of the road and a wide footpath. Moreover, there is good visibility as the road is fairly straight and the surrounding area is relatively flat. Although some of the services and facilities are a moderate distance from the appeal site, given the characteristics of the surrounding area and road network, occupiers of the proposed dwelling could walk or cycle to these facilities. They would also be able to access a bus service close to the junction between Teversham Road and Hinton Road.
17. I acknowledge occupiers of the proposed dwelling may be more reliant on the use of private motor vehicles than people living in urban areas. However, I am mindful of paragraph 110 of the Framework where it indicates that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
18. Occupiers would not be overly disincentivised from using sustainable transport modes to access nearby facilities. Therefore, on balance the proposed development would be in an appropriate location, having regard to the accessibility of services and facilities. The proposal would comply with LP Policy TI/2 where it indicates that development must be located to reduce the need to travel and promote sustainable travel appropriate to its location.

Other considerations

19. There would be benefits associated with the proposal including a more efficient use of the land in accordance with paragraph 129 of the Framework. There would be economic benefits associated with the construction of the proposed dwelling and an increased population living in the area. There would be social benefits through the increased provision of housing and environmental benefits could be secured at the reserved matters stage. As such, the proposal would be in general accordance with the objectives set out in paragraph 8 of the Framework.
20. The appellant has indicated that the proposed dwelling would be a self-build dwelling. I have no reason to doubt this. However, permission runs with the land and there is no mechanism before me which would ensure that the property would be occupied by someone or a group of people who built the dwelling or employed people to build the dwelling. If permission was granted, the Council would have no assurance that the proposed dwelling would meet the definition of self-build and custom housebuilding as set out within the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). In light of this, the weight I ascribe to the benefit of providing a self-build dwelling is much reduced.
21. Overall, given the scale of the proposal, and a lack of a mechanism to ensure the proposed dwelling complies with the definition for self-build and custom housebuilding, I ascribe modest weight to the benefits of the proposal.
22. A design could be produced which ensures that the proposed development would conserve the character and appearance of the area. This would be a neutral factor and neither weigh in favour nor against the proposal.
23. Paragraph 153 of the Framework indicates that substantial weight is given to any harm to the Green Belt, including harm to its openness, and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I have concluded that the appeal proposal would be inappropriate development and is, by definition, harmful to the Green Belt. I have also found harm to the openness of the Green Belt.
24. As above, I ascribe modest weight to the other considerations in favour of the proposal. Therefore, the other considerations do not clearly outweigh the substantial harm. Consequently, the very special circumstances necessary to justify the development do not exist.

Other Matters

25. As it is not disputed that the Council can now demonstrate a five year supply of deliverable housing sites, the balance specified in paragraph 11(c) applies rather than 11(d). As such, it is not necessary to demonstrate that the adverse effects of the proposal would significantly and demonstrably outweigh the benefits.

Conclusion

26. The proposal conflicts with the development plan, when considered as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs INSPECTOR