
Appeal Decision

Site visit made on 15 September 2025

by **F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025

Appeal Ref: APP/W0530/W/25/3364735

Trinity Cottages Cambridge Road, Madingley, Cambridge CB23 8AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Emma Davenport against the decision of South Cambridgeshire District Council.
 - The application reference is Ref: 24/04022/FUL
 - The development proposed is 'Erection of 2 No. 3 bed dwellings.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is a disagreement between the parties regarding information submitted to the Council following the original application. This information included amended plans intended to address the internal layout of the proposed dwellings. The Council has no record of receiving these plans. However, the appellant has provided them as part of the appeal submission, along with accompanying evidence that they were lodged with the Council. While an appeal should not be used to amend a scheme, I am satisfied that the differences are not substantial and essentially relate to internal space standards only. On this basis, I am satisfied that my acceptance of the amended plans would not prejudice any parties.
3. The Council has confirmed that it no longer wishes to defend reason for refusal 3 were I to accept the amended plans. As set out above, I have accepted the relevant drawing (739 05-Rev D). I am satisfied that the proposal complies with the Nationally Described Space Standards. I will therefore deal only with reasons for refusal 1 and 2.

Main Issues

4. The main issues in this appeal are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the relevant development plan policies and the provisions of the National Planning Policy Framework (the Framework).
 - the effect on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and

- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Inappropriate development

5. The appeal site is located within the designated Green Belt. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy S/4 of the South Cambridgeshire Local Plan 2018 (the Local Plan) states that new development in the Green Belt will only be approved in accordance with Green Belt policy as set out in the Framework.
6. The five purposes of the Green Belt (a–e) are defined in paragraph 143 of the Framework. The Council does not dispute the appellant's position that the site constitutes "grey belt" land within the Green Belt, a term referring to previously developed land and/or land that does not significantly contribute to purposes (a), (b), or (d) of paragraph 143. Based on the evidence before me I am satisfied that the site qualifies as grey belt land.
7. Paragraph 155 of the Framework states that the development of homes in the Green Belt should not be regarded as inappropriate where all of the following criteria are met. First, (a) the development must utilise grey belt land and must not fundamentally undermine the purposes of the remaining Green Belt across the plan area when considered collectively. Second, (b) there must be a demonstrable unmet need for the type of development proposed. Third, (c) the development must be located in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. Finally, (d) where applicable, the development must meet the 'Golden Rules' requirements, although these are not relevant in this case. I will consider each of these points in turn.

Utilising grey belt land (a)

8. The area surrounding the appeal site is particularly open in aspect, with expansive views to the north and east. It is situated in a distinctly rural setting, removed from other forms of urban development. The proposed development would significantly increase the scale and massing of the existing terrace of dwellings.
9. While the development would be located within the curtilage of the existing dwellings, these properties have a modest and uniform appearance and presence within otherwise verdant surroundings. The scheme would effectively draw built form closer to the site boundaries and Cambridge Road than it is presently, resulting in greater prominence from public vantage points. The result would be the appearance of further encroachment of urban development into the countryside particularly due to additional massing at either end of the terrace. This is contrary to paragraph 143(c) of the Framework, which identifies one of the purposes of the Green Belt as assisting in safeguarding the countryside from encroachment.
10. For this reason, the proposal would fundamentally undermine the collective purposes of the remaining Green Belt across the plan area and is therefore contrary to paragraph 155(a) of the Framework. Even had I found the proposed

development to be compliant with paragraph 155(a), all criteria under paragraph 155 must be considered. I continue my assessment below.

Demonstrate unmet need (b)

11. The description of development provided on the planning application form refers to the erection of two three-bedroom dwellings, with no mention of Build to Rent properties. However, other documentation submitted with the application, as well as correspondence between the appellant and the Council, does refer to the provision of rental, and specifically Build to Rent dwellings. Allowing this appeal would permit the development of two dwellings that are not restricted to long-term rental occupation under common ownership and management, unless an appropriate mechanism is engaged to secure their tenure as Build to Rent properties, as defined by the Framework. I have determined the application on the basis of two dwellings without tenure restrictions, which aligns with the description of development provided in the application form.
12. While the appellant has sought to demonstrate demand for Build to Rent accommodation in the area, the relevant test under paragraph 155(b) of the Framework is whether there is a lack of a five-year supply of deliverable housing sites, including the appropriate buffer where applicable, or whether the Housing Delivery Test result was below 75% of the housing requirement over the previous three years. I have not been provided with evidence to demonstrate that the housing supply falls short in this regard. Therefore, the criteria set out in paragraph 155(b) is not met.

Sustainable location (c)

13. Madingley is a village with a recreation ground, pub, village hall, nursery, church, and hotel. However, there is no footpath or street lighting along Cambridge Road near the site, making pedestrian access unsafe particularly for those walking to the bus stop, which is located a significant distance away in Madingley and has a limited service. The bus stop in the other direction towards Cambridge is located a very significant distance away rendering it effectively only accessible on cycle and I have no information regarding cycle storage facilities at that bus stop.
14. Although a public bridleway exists nearby, this is not sufficient to rely on, particularly as it is unlit and of an uneven terrain. While Cambridge Road is identified as a cycle route, its 40mph speed limit and lack of lighting make it unsuitable for all cyclists particularly after dusk or during inclement weather. As a result, the proposal does not meet the requirements of paragraphs 110 and 115 of the Framework, which emphasise prioritising sustainable transport and ensuring safe access for all users.
15. Occupiers of the proposed development would be reliant on the private car to access essential services such as retail and healthcare, which are not readily available by more sustainable modes of travel. While the increase in home working and changes in retail patterns may reduce the need to travel for some, this does not render an otherwise unsustainable location acceptable. Therefore, the criteria set out in paragraph 155(c) is not met. The proposal is also contrary to Policy TI/2, which requires that development be located and designed to reduce the need to travel particularly by car and to promote sustainable travel appropriate to its location.

Golden Rules (d)

16. As the proposed development does not meet the definition of major development, (d) is not applicable in this instance.
17. Submissions have also been made that the proposal is appropriate in the context of paragraph 154(c) of the Framework, which allows extensions to existing buildings provided they are not disproportionate additions over and above the original size of the building. The scale of the proposed additions is significant, representing an approximate 50% increase in the volume of the building. The extension would be visually prominent and therefore constitutes a disproportionate addition, falling outside the parameters of this provision. The appeal site is located outside the Development Framework Area of Madingley. As such, Policy S/11 which allows for the subdivision of residential curtilages and gaps in frontages is not applicable.
18. Submissions have been made that the proposal would form a rural exception site in the context of paragraph 154(f). Notwithstanding Local Plan Policy H/9, which seeks to widen the choice of housing mix and type to meet the needs of different groups, I have not been provided with a Section 106 agreement. This is the appropriate mechanism to secure the proposed dwellings as affordable Build to Rent properties and to prevent their occupation under a different tenure. Despite the Council identifying this issue in its appeal submission, no such agreement has been provided and no alternative mechanism proposed. A planning condition would not be a suitable mechanism to achieve this. As a result, the proposal has not been considered as a rural exception site for affordable housing, as set out in Local Plan Policy H/11. Therefore, the criteria set out in paragraph 154(f) is not met.
19. Paragraph 154(g) of the Framework allows for the partial or complete redevelopment of previously developed land, provided it does not result in substantial harm to the openness of the Green Belt. Although the Framework does not define 'openness', the Planning Practice Guidance (PPG) advises that assessments of openness should consider spatial and volumetric aspects, the duration of the development, and the degree of activity likely to be generated.
20. The scale of the proposed development, involving two dwellings, would have both spatial and visual impacts greater than those of the existing built form on the site. The scheme would result in a significant increase in both the spatial footprint and the volume of development.
21. Openness would also be affected by the likely increased level of activity associated with residential use, including the movement of occupants around the site and increased comings and goings. In addition, features such as garden fences, parking areas, and domestic paraphernalia would further erode the site's openness.
22. The appeal scheme would result in a significant adverse impact on openness and therefore falls outside the parameters of paragraph 154(g) of the Framework. It is also contrary to Local Plan Policy NH/8, which requires that any development proposals within the Green Belt be located and designed so as not to have an adverse effect on the rural character and openness of the Green Belt.

23. For these reasons the proposed development is contrary to Local Plan policies S/4, S/7, NH/8 and T/2 and is inappropriate development in the Green Belt in the context of Part 13 of the Framework. For this reason, the appeal scheme represents inappropriate development in the Green Belt.

Character and appearance

24. The proposal would add significant mass and bulk to the existing uniform terrace, which, although not a listed building or within a conservation area forms an attractive, small-scale development consistent with its rural setting. While the additional two dwellings would be finished to match the appearance of the existing terrace, the cumulative impact of the proposed gable roof extensions, including their projection forward of the established building line, combined with the extent of hardstanding, would significantly alter the site's current rural character.
25. Although the rear extensions approved under reference 21/04963/FUL are a substantial addition to the terrace, they are less visually prominent than the current proposal, which would appear significantly more urban in character. The increased linear scale of the terrace would also reduce opportunities for landscaping. In any case, planting cannot be relied on in perpetuity to provide appropriate levels of screening.
26. Primarily due to its urbanising influence in a rural location, the proposal would cause harm, albeit limited in extent, to the character and appearance of the area. It would therefore conflict with Local Plan Policies HQ/1, NH/2 and NH/8, which require that development proposals preserve or enhance the character of the local urban and rural area, respond appropriately to their wider landscape context, and, in the case of development within the Green Belt, be located and designed so as not to have an adverse effect on rural character and openness.

Other Considerations

27. The addition of two dwellings on the site would make a modest contribution to rural housing supply on a small site and support the viability of local facilities. There would be short-term economic benefits during the construction phase, and an increase in tax receipts. I acknowledge that landscaping and other measures could enhance the site's biodiversity value and note that electric vehicle charging points would be provided. However, such improvements are not dependant on the scheme before me, or the wider redevelopment of the site. I afford these considerations limited weight.
28. The proposal would also have a limited impact on the amenity of surrounding residential occupiers and on highway safety. The site is at low risk of flooding. While these matters are acknowledged, there is no dispute between the Council and appellant in these respects. I give these considerations limited weight.

Green Belt Balance and Conclusions

29. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In this case, I have also identified harm to the openness of the Green Belt and to the character and appearance of the area. Substantial weight must be given to this harm to the Green Belt. Very special circumstances will not exist unless the harm

to the Green Belt, and any other harm, is clearly outweighed by other considerations.

30. Cumulatively, I attach no more than limited weight to the benefits of the proposed development which make up the other considerations. Consequently, the very special circumstances necessary to justify the proposed development do not exist
31. For the reasons given above, the appeal is dismissed.

F P Tinsley

INSPECTOR