



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: 5th November 2025

Appeal Ref: APP/W0530/W/25/3367160

Land South Of Sandfield Bungalow, Mill Road, Fen Drayton, Cambridgeshire, CB24 4ST

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Flack against the decision of South Cambridgeshire District Council.
 - The application reference is Ref: 25/00562/PIP.
 - The development proposed is 'Erection of 2no. custom/self-build dwellings.'
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 and a maximum of 2 dwellings at Land South Of Sandfield Bungalow, Fen Drayton, Cambridgeshire CB24 4ST in accordance with the terms of the application, Ref 25/00562/PIP.

Application for costs

2. An application for costs was made by Mr Flack against the Council. This application is the subject of a separate decision.

Preliminary Matters

3. The proposal seeks permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative route for obtaining planning permission for housing-led development. The permission in principle process comprises two stages: the first stage, known as the permission in principle stage, establishes whether a site is suitable in principle; the second stage, referred to as technical details consent, involves the assessment of the detailed development proposals. This appeal relates to the first of these two stages only.
4. The PPG also states that the scope of considerations at the permission in principle stage is limited to location, land use, and the amount of development proposed. All other matters are addressed during the subsequent technical details consent application, should permission in principle be granted. I have determined the appeal accordingly.
5. In addition to the location plan, the appeal documents include an indicative site plan showing two detached dwellings with access from Mill Road, along with other documentation, including details relating to access and a draft legal agreement. This information has been taken as indicative for the purposes of the first stage of the permission in principle process

6. Article 5A(3)(a) of the Town and Country Planning (Permission in Principle) Order 2017, as amended by Article 4 of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017, requires that any grant of permission in principle must specify the minimum and maximum number of dwellings permitted in principle. In this case, the range identified at Section 3 of the planning application form is between 1 and 1 dwellings. This, contrasts with the description of development which refers to two custom/self-build dwellings. I have determined the application on the basis of between 1 and 2 dwellings which is consistent with the approach adopted by the Council in their determination of the application.

Main Issue

7. The main issue is whether the site is suitable for residential development, having particular regard to:
- whether the proposed development would accord with the relevant planning policies directing the location of new housing development in the area;
 - the effects of the development on the character and appearance of the area; and
 - whether it would accord with relevant policies relating to sustainable travel.

Reasons

Location of development

8. The appeal site is located outside of the development framework area of Fen Dreyton as defined by Policy S/7 of the South Cambridgeshire Local Plan 2018 (the Local Plan). This requires that development, such as the proposal, takes place on sites within village frameworks or allocated land. Outside those boundaries, development is restricted to uses which can demonstrate a need for a countryside location.
9. Local Plan policies S/10 and S/11 are not relevant to the determination of this appeal as these relate to development within the development framework areas of Group Villages and Infill Villages respectively. The appeal site is not located within the framework area of either a Group Village or Infill Village. The proposed development does not seek to comply with the requirements of Policy H/5, which relates to development within the Fen Drayton Settlement Association Estate area within which the appeal site is located.
10. For these reasons the proposed development fails to accord with Policy S/7 of the Local Plan which is the relevant policy relating to the location of new housing in this case.

Character and appearance

11. Notwithstanding the significant and mature vegetation forming the bulk of the boundary of the appeal site, along with the undeveloped corner plot on the opposite side of Mill Road and the open fields to the northwest towards Fenstanton, the appeal site forms part of a cluster of undeveloped land. This cluster provides a clear visual and physical separation between Fenstanton and the Fen Drayton Settlement Association Estate area to the east.

12. While there is development to the north along Mill Road, it is situated some distance from the junction with Huntingdon Road. Vegetation largely obscures this development from the southern section of Mill Road where it joins Cambridge Road. However, the construction of a dwelling immediately north of the appeal site has reduced the immediate vicinity's rural character and diminished its role in maintaining separation between the settlements.
13. Recent development on the eastern side of Fenstanton has made the role of undeveloped land surrounding the appeal site in separating the settlements even more relevant. However, and importantly, with the proposed development in place, a clear and definable separation between the settlements would remain. This separation is further reinforced by the mature vegetation along the southern boundary of the site, which would act to screen the proposed dwellings, thereby reducing the perception of development.
14. The proposal would result in a degree of encroachment into the countryside, but the proposal would be consistent with the emerging pattern of development, which includes further development on the western side of Mill Road.
15. While the scale, design, and layout of any future development would be subject to subsequent applications, the development of the site despite its relatively low-lying nature and similarity to the surrounding area would not significantly detract from its role in maintaining settlement separation.
16. For these reasons, the proposed development would be consistent with Local Plan Policy HQ1, which, among other requirements, states that development must preserve or enhance the character of the local urban and rural area and respond appropriately to its wider landscape context.

Sustainable travel

17. Local Plan Policy TI/2 seeks to ensure that developments are located in a way that reduces the need to travel, particularly by car and promotes sustainable transport modes appropriate to their location. Policy S/2 requires that land for housing is provided in sustainable locations.
18. Within Fen Drayton, there are facilities and services available to residents, including a primary school, village hall, pub/restaurant, church, public open space with children's play facilities, and a recreation ground. Fenstanton also offers a range of amenities, including a primary school, convenience stores, GP surgery, pharmacy, dentist, day nursery, post office, public house, butcher, public open spaces, and outdoor play facilities.
19. However, the appeal site is approximately 1.35 km from the main built-up area of Fen Drayton via a footpath, where these services are located. It is a similar distance to the services in Fenstanton, also via a continuous public footpath/cycleway. However, this route is not illuminated along its entire length and could not be relied on, particularly after dusk or during inclement weather.
20. The nearest bus stops are located approximately 750 metres away at Rookery Way. These stops offer regular services to nearby larger settlements where additional services are available. The route from the appeal site to these bus stops is also not fully illuminated.

21. Given the significant distances involved and the limited suitability of these routes for use at all times of day and evening, if Policy TI/2 were to be read in isolation, it would not support the appeal scheme. However, my attention has been drawn to a previous appeal decision¹ where a more flexible interpretation of Policy TI/2 was adopted. While I do not have all the details of that case, I have considered the Inspector's approach in that instance.
22. When Policy TI/2 is read alongside the National Planning Policy Framework (the Framework), Paragraph 110 recognises that while significant development should be focused on sustainable locations, opportunities for sustainable transport solutions in rural areas will not be as extensive as in urban areas. Paragraph 83 is also relevant, as it encourages rural housing to be located where it can enhance the vitality of communities, including where development in one village may help support services in another nearby. These paragraphs support a more flexible approach to applying policies such as TI/2 in rural contexts. However, I am also mindful of Paragraph 115(b) of the Framework, which requires that safe and suitable access to the site be achievable for all users.
23. In the particular circumstances of this appeal, there are factors that support development, such as the potential to enhance the vitality of communities in Fen Drayton and surrounding settlements, and the availability of services and facilities within walking or cycling distance of the appeal site—meaning it is not entirely unsustainable. However, I am not persuaded that the development would avoid generating a significant level of car dependence. This is especially due to the distances to key services, including bus stops, and safety concerns arising from the lack of illumination along these routes. As such, the proposal would conflict with the Local Plan's objective of promoting sustainable travel and delivering land for housing in sustainable locations and therefore conflicts with Policy TI/2 and Policy S/2. That said, this conflict is limited, as there is a degree of access to more sustainable modes of travel to access nearby services and facilities.

Other Matters

Self- and custom-build housing

24. The description of development specifically refers to 'custom/self-build dwellings.' This use is set out at section 1 of the Self-build and Custom Housebuilding Act 2015, and I have determined the appeal on the basis that any future technical details consent approval would include an appropriate mechanism to restricts the occupation of the dwellings to be used as custom and self-build units.
25. Section 2A of the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), means local planning authorities are under a duty to grant a sufficient number of suitable permissions to meet the demand for self and custom-built housing within their area.
26. In South Cambridgeshire, the Local Plan seeks to address this need by requiring that plots for self- and custom-build housing are to be included in all housing sites of 20 or more dwellings. However, despite this policy having been in place for several years, it is not disputed that the District currently has a substantial shortfall of self- and custom-build permissions compared to the number of new entries on

¹ APP/W0530/W/21/3282234

the Self-Build Register. According to the Council's figures, the cumulative shortfall up to September 2024, was estimated to be at 418 plots.

27. A number of appeal decisions² have been provided where custom and self-build housing has both been allowed and dismissed in similar circumstances to those before me. In all of these decisions, it is clear that there has been a balancing exercise undertaken based on the specific circumstances of the case when the benefit of provision of custom and self-build has been balanced against the specific locational and sustainability factors of the case, as is required in this instance.
28. The Council suggests that the benefit of providing just two additional plots would be small in relation to the size of the shortfall, and that this should therefore carry 'appreciable' weight. Given the scale of the shortfall and the Council's deteriorating position in this regard I find that any provision to address the shortfall is significant. In this regard I also note paragraph 73(b) of the Framework which specifically states that determining authorities should seek opportunities, through policies and decisions, to support small sites to come forward for self-build and custom-build housing.
29. The Council also highlights the absence of a mechanism to secure custom and self-build occupation of the proposed dwellings at the permission in principle stage as weighing against the proposal. However, PPG addresses this issue at paragraph 22 (Reference ID: 58-022-20180615), stating that planning obligations cannot be secured at the permission in principle stage but may be agreed at the technical details consent stage, provided the statutory tests are met. Local planning authorities can inform applicants that planning obligations may be required at the technical details stage, which is the case here. I am therefore satisfied that the description of development would restrict any subsequent technical details consent to custom and self-build housing, and that a planning obligation could be attached to a subsequent permission to secure this.
30. For these reasons, I consider that the need for custom and self-build plots, and the benefits of the appeal proposal in meeting part of that need, should command substantial weight.

Planning Balance and Conclusion

31. The Framework seeks to boost the supply of housing and specifically supports custom and self-build housing. It also seeks to promote sustainable modes of travel including walking, cycling and public transport and for the planning system to actively manage patterns of growth in support of these objectives. As set out above. I have found that the proposal would conflict with Local Plan Policy S/7 and Policy S/2, which are the relevant policies relating to the location of new housing in this case. I have also found conflict with Policy TI/2 which seeks to proposed sustainable travel.
32. In contrast, the proposal would deliver two custom and self-build dwellings that would assist in the provision of this type of housing in the area where there is a

² APP/W0530/W/24/3343585 (Gamlingay), APP/W0530/W/22/3292594 (Longstanton), APP/W0530/W/23/3320454 (Orwell), APP/W0530/W/22/3311183 (Forlmore), APP/W0530/W/21/3282234 (Caxton), APP/W0530/W/23/3322754 (Kneesworth) and APP/W0530/W/24/3347379 (Orwell)

significant shortfall. The site is adjacent to other residential development and is served by a footway/cycleway to bus stops and facilities and services providing a degree of multiple connectivity benefits to future occupiers. Despite the Council's ability to demonstrate it has a 5-year supply of housing, the provision of custom and self-build housing weighs in favour of the scheme. The proposal would also deliver economic benefits both during and post construction. These benefits weigh in favour of the proposal and demonstrate that the proposal would accord with the Framework when taken as a whole.

33. The conflict with the development plan is moderate. The Council is failing to deliver sufficient custom and self-build housing provision in the context of the statutory duty to provide such housing. The importance of this type of housing, as established by the Framework, is clear. As such, the benefits of the proposal are significant, and I attach substantial weight to this. This would outweigh the moderate weight afforded to the conflict with the development plan.
34. For the reasons set out above, I conclude that the appeal should be allowed.

F P Tinsley

INSPECTOR