



Appeal Decision

Site visit made on 12 January 2026

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2026

Appeal Ref: APP/W0530/W/25/3375057

48 Middleton Way, Fen Drayton, Cambridgeshire CB24 4SU

- 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 Peter and Marianne Holt against the decision of South Cambridgeshire District Council.
 - The application Ref is 25/02726/FUL.
 - The development proposed is construction of self-build, eco-friendly 1.5 storey dwelling with detached garage
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government is currently in the process of consulting on proposed amendments to the National Planning Policy Framework (the Framework). The draft revised Framework could be subject to significant amendments following the conclusion of the consultation. Instead, the extant version of the Framework has been considered.

Main Issues

3. The main issues are:
 - the effect of the proposal on protected species and biodiversity;
 - the effect of the proposal on flooding; and
 - whether the site is a suitable location for residential development, having regard to local and national policy and its accessibility by sustainable modes of transport.

Reasons

Protected species and biodiversity

4. Circular 06/2005 advises that it is essential that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before planning permission is granted. Otherwise, all relevant material considerations may not have been properly addressed.
5. The appeal site comprises grassland, planting and trees alongside existing structures. The Council's ecological evidence identifies that great crested newts and other amphibians, barn owl and other breeding birds, flowering plants,

invertebrates, reptiles, bats, badger, otter, polecat and hedgehog have all been recorded locally. In such circumstances, there is a reasonable likelihood of protected species being present.

6. The appellants contend that the ecological value of the site is low and that any survey work could be secured by condition. However, in the absence of an up-to-date Preliminary Ecological Appraisal or other proportionate survey evidence, I cannot be satisfied that protected species would not be harmed. Given the potential presence of protected species and the nature of the site, this is not a matter that can be left to a planning condition, consistent with Circular 06/2005.
7. I therefore find that insufficient information has been provided to demonstrate that the proposal would avoid unacceptable harm to protected species or habitats. The development would conflict with Policy NH/4 of the South Cambridgeshire Local Plan (LP), which requires adequate survey information where protected species may be affected.

Flood risk

8. The appeal site lies within Flood Zone 1 and is therefore at low risk from fluvial flooding. However, the evidence before me indicates that parts of the site are at low to medium risk of surface water flooding.
9. The Framework and Planning Practice Guidance (PPG) advise that in Flood Zone 1 a site-specific Flood Risk Assessment (FRA) should accompany development proposals where the flood map for planning shows the site is at risk of surface water flooding.
10. No site-specific FRA or detailed drainage strategy has been submitted. The appellants suggests that flood matters could be addressed by condition and that the risk is limited. However, in the absence of the necessary technical evidence, it has not been demonstrated that flood risk would be appropriately managed for the lifetime of the development or that the proposal would not increase risk elsewhere.
11. Given the identified surface water risk and the lack of a supporting assessment, it would not be appropriate to resolve these matters by condition.
12. Consequently, the proposal conflicts with Policy CC/9 of the LP and the guidance in the Framework and PPG, which seek to ensure that development is safe from flooding and does not increase flood risk elsewhere.

Suitable location

13. It is common ground that the appeal site lies outside any defined development framework and therefore within the countryside for planning policy purposes. It is also within the Fen Drayton Former Land Settlement Association Estate (FDLSE).
14. LP Policy H/5 supports the redevelopment of existing buildings within the FDLSE subject to specified criteria, including that the development would not occupy a larger footprint than the existing buildings to be replaced.
15. The appellants' evidence relies in part on the presence of a packing shed and piggery to justify the proposal under Policy H/5. However, based on the evidence before me, including the Council's assessment of eligible buildings within the

SPD¹, I am not persuaded that the appellants have demonstrated that sufficient eligible buildings exist to support the scale of development proposed. Nor has it been robustly shown that the proposed dwelling and garage would not exceed the permissible replacement footprint. Accordingly, the proposal does not benefit from Policy H/5 support.

16. LP Policy S/2, amongst other matters, requires that housing is located in sustainable locations that meets local needs and aspirations, and gives choice about type, size, tenure and cost. It goes on to require high quality and well-designed development which responds robustly to the challenges of climate change with good access to services/facilities that can be reached by sustainable modes of transport.
17. Policy S/7 of the LP states that development outside of the development frameworks will only be allowed under specific circumstances or where supported by other policies in this plan will be permitted. Policy S/7 supporting text advises this is necessary to ensure that the countryside is protected against incremental growth in unsustainable locations. LP 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.
18. The appellants argue that the site forms part of an established cluster of development and that rural car use is to be expected. I recognise that some reliance on the private car is common in rural areas. However, the key test is whether the site offers reasonable opportunities for access by sustainable modes.
19. Middleton Way is largely a single-track route with no dedicated footway or cycle lane and is unlit. Access to the nearest settlements of Fen Drayton and Fenstanton would therefore involve walking or cycling along an unlit and largely vehicle-dominated route. These conditions are likely to deter regular pedestrian and cycle travel, particularly during hours of darkness and periods of inclement weather. No substantive details on alternative access to these settlements by public transport have been provided. In the absence of clear evidence of convenient and safe alternative sustainable transport options, future occupiers would be reliant on the private car for most day-to-day needs.
20. For the reasons above, the location of the development would not be appropriate for housing, having regard to the spatial strategy of the development plan. It would not provide good access to services/facilities that can be reached by sustainable modes of transport and given my findings on flooding the scheme has not robustly responded to the challenges of climate change. It therefore conflicts with LP Policies S/2, S/7, H/5 and TI/2, the aims of which are set out above.

Other Matters

21. The proposal has been put forward as a self-build dwelling, support for which is found in the Framework and specific legislation. Even if I were to accept that there is presently a significant shortfall of self-build plots in the district, there is no mechanism before me to secure the development as a self-build dwelling. As such, this is a matter which attracts little favourable weight.

¹ Fen Drayton Former Land Settlement Association Estate Supplementary Planning Document 2011

22. I have not been presented with compelling evidence that the Council lacks a five-year housing land supply. Even if there were some shortfall, the provision of a single dwelling that could be built out quickly as part of the redevelopment would attract only modest weight.
23. Given the limited scale of the scheme, there would also be some modest economic and environmental benefits during the construction and occupation of a sustainably constructed dwelling. Social benefits to the community would be minimal, given the limited addition of a single dwelling.
24. I acknowledge the appellants' concerns regarding the opportunity to amend the scheme. However, this does not overcome the harms I have found above.
25. I note the appellants' comments that a precedent has been set, given other dwellings approved nearby. However, I do not know the full circumstances which led to the granting of nearby permissions. In any event, each application is considered on its own merits, and I have found that significant harm would result for the reasons above.
26. I also note the personal circumstances and family aspirations put forward. While I have had regard to these matters, they are primarily private benefits and do not outweigh the harms identified.

Conclusion

27. The appeal proposal would conflict with the development plan when read as a whole. There are no material considerations, including the Framework, of sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.

A Hickey

INSPECTOR