



Appeal Decision

Site visit made on 15 August 2017

by **David Troy BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th September 2017

Appeal Ref: APP/W0530/W/17/3174252

8 Greenacres, Duxford CB22 4RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by CALA Homes (North Home Counties) against the decision of South Cambridgeshire District Council.
 - The application Ref S/3396/16/RM, dated 2 December 2016, sought approval of details pursuant to condition No 1 of an outline planning permission, Ref S/0276/15/OL, granted on 24 June 2016.
 - The application was refused by notice dated 29 March 2017.
 - The development proposed is outline application for demolition of dwelling and garage at No.8 Greenacres and development of up to 35 dwellings (use class C3) with all matters reserved except for access.
 - The details for which approval is sought are: appearance, landscaping, layout and scale.
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Decision

1. The appeal is allowed and the details submitted pursuant to condition No 1 attached to outline planning permission Ref S/0276/15/OL, granted on 24 June 2016 in accordance with the application Ref S/3396/16/RM, dated 2 December 2016 and the plans submitted with it are approved, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are (i) whether the proposal makes adequate provision for affordable housing and (ii) whether the proposal makes appropriate provision for landscaping of the proposed development.

Reasons

Affordable housing

3. The original application for Outline Planning Permission (OPP) for up to 35 dwellings allowed on appeal in June 2016¹ included a 40% contribution of affordable housing (14 dwellings) in accordance with Policy HG/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (DCP).
4. DCP Policy HG/3 states that in order to ensure sustainable communities, affordable housing will be distributed through the development in small groups

¹ APP/W0530/W/15/3138791

or clusters. It goes on to state in the supporting text (paragraph 4.13) of the DCP that affordable housing should be of a high quality and integrated with market housing. In order to ensure sustainable communities, affordable housing will be distributed through the development in small groups or clusters, typically of 6 to 8 units. The appropriate size of affordable housing groups or clusters will vary depending on the scale of development.

Paragraphs 3.24 – 3.26 of the South Cambridgeshire District Council Affordable Housing Supplementary Planning Document 2010 (SPD) supports this approach but explains that appropriate cluster size will be determined having regard to the location within the development and the type of housing being provided.

5. The proposed development for 35 dwellings, which is already under construction, shows the proposed 14 no. affordable housing units are centrally located within the site and split into two distinctive tenure groups. Plots 07-11 consist of a terrace of five shared ownership properties for sale and Plots 12-20 (including 6 flats) are affordable rent units.
6. Therefore, whilst there is some conflict with the clustering requirements in DCP Policy HG/3 and the SPD it is nevertheless, important to acknowledge that a policy should not be applied rigidly or exclusively when material considerations may indicate an exception may be necessary. It is for the decision taker to weigh any conflict between relevant policies in light of material considerations, including local circumstances. In this instance, given the severe shortfall in housing provision in the area and the chronic shortage of affordable homes, the provision of 14 affordable housing units in this location is a significant benefit carrying very substantial weight.
7. The separate tenure groups of affordable housing units are not contiguous with one-another and are separated by an internal road, parking and landscaping and as such in my view appear as two separate clusters within the development. I note the support from the appellant's registered affordable housing providers for the proposed distribution of the affordable housing in that they feel it would allow better management arrangements.
8. The design and the proposed palette of external facing appearance and architectural detailing outlined in the submitted plans and the appellant's Design and Access Statement are similar to the private market housing on the development. It is therefore considered that the affordable housing units appear well integrated and would form an integral part of the overall quality design of the appeal scheme.
9. Consequently, I conclude that the proposal would make adequate provision for affordable housing and as such would accord with DCP Policy HG/3 and the SPD for the reasons set out above. In addition, it would accord with the aims of the National Planning Policy Framework (the Framework) that the planning system should seek to create mixed and balanced communities and should be sufficiently flexible to take into account local demand in particular locations and changing market conditions over time (paragraph 50).

Landscaping

10. Existing hedgerows are located along the northern and western boundaries of the appeal site. These hedgerows provide a landscape feature that would soften the visual impact of the development in views taken from the open

countryside beyond and from public vantages points that include the adjacent public right of way to the north and Hunts Road to the west.

11. The Council have outlined that these hedgerows are located outside of the red line area of the appeal site and are not within the ownership of the appellant and as such cannot provide any reassurance that these hedgerows can be retained in perpetuity. However, no evidence has been provided by the Council to contradict the appellant's statement and the submitted plans that clearly indicate these existing hedgerows would be retained and would not be affected by the development on the appeal site. I observed from my site visit that hedgerows were present around the other boundaries of the adjacent agricultural field and there is no evidence to suggest that the landowner would be likely to remove all or part of the existing vegetative enclosure around the field.
12. I also observed on my site visit that a mature hedgerow and trees are located along the southern boundary of the site adjacent to the residential properties on Fairhaven Close. A close boarded fence and vegetation are also located along the southern boundary of the site adjacent to the residential properties on Greenacres. Similarly, whilst outside of the red line area of the appeal site and are not within the ownership of the appellant, there is no evidence to suggest that the boundary treatment would be removed. I am therefore satisfied based on the evidence before me that these matters would not result in a level of harm which would justify dismissal of the appeal.
13. The proposed landscaping scheme within the site, including planting and landscaping at the site entrance, around the proposed Local Area of Play and in pockets of informal open space distributed throughout the site is considered to be satisfactory and compatible with the scale and character of the development and its surroundings.
14. Consequently, I conclude that the proposal makes appropriate provision for landscaping of the proposed development and as such would accord with DCP Policies DP/2 and DP/3. These policies, amongst other things, seek to ensure that all new development is of a high quality design that includes high quality landscaping compatible with the scale and character of the development and its surroundings and would not have an unacceptable adverse impact on village character, countryside and landscape character. In addition, it would accord with the Framework that development should seek to secure a high quality of design (paragraph 17) and respect the local character (paragraph 58).

Other matters

15. I note the objections from Duxford Parish Council and local residents to the proposal. These include the impact of the amenities of local residents, the proposed layout and the siting, scale and detailed design of a number of the properties, housing density, parking, and pedestrian access to the footpath to the north, open space provision, landscaping, trees and drainage. Other objections relating to the principle of the development including construction activities, access, traffic, highway safety and the impact on the services and facilities in the village, all of which have already been assessed by the Inspector as part of the original application for OPP.
16. I have addressed the matters relating to affordable housing and landscaping in the main issues above and the other matters raised did not form part of the

Council's reasons for refusal. Based on the evidence before me, I am satisfied that these matters can be dealt with by planning conditions where appropriate.

Conditions

17. Conditions attached at this stage are additional to those already attached to the outline consent and may only relate to the detailed matters submitted for approval. Having regard to the Framework, and in particular paragraph 206, I have considered the conditions suggested by the Council.
18. A number of the conditions can be seen to be satisfied by the submitted plans and the Design and Access Statement, including the external materials and the access. I have specified the approved plans and the Design and Access Statement as this provides certainty. Those conditions relating to the detailing of the finished floor levels and the method statement for the removal of the existing bund on the site and the associated replacement boundary treatment are necessary in order to safeguard the amenities of the nearby residents.

Conclusion

19. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR

Richborough Estates

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans and particulars: -
 - PL.01 – Site Location Plan
 - PL.02 – Site Layout Plan – Rev R
 - PL.03 – Street Scenes – Rev E
 - PL.04 – 3D Views – Rev A
 - PL.05 – Plot 1 Plans and Elevations – Rev A
 - PL.06 – Plot 2 Plans and Elevations – Rev C
 - PL.07 – Plot 3 Plans and Elevations – Rev D
 - PL.08 – Plots 4-5 Plans and Elevations – Rev C
 - PL.09 – Plot 6 Plans and Elevations – Rev C
 - PL.10 – Plots 7-11 Plans and Elevations – Rev B
 - PL.11 – Plots 12-20 Floor Plans – Rev D
 - PL.12 – Plots 12-20 Elevations and Sections – Rev B
 - PL.13 – Plot 21 Plans and Elevations – Rev A
 - PL.14 – Plot 22 Plans and Elevations – Rev A
 - PL.15 – Plot 23 Plans and Elevations – Rev C
 - PL.16 – Plot 24 Plans and Elevations – Rev C
 - PL.17A – Plot 25 Plans and Elevations – Rev A
 - PL.17B – Plot 26 Plans and Elevations – Rev A
 - PL.18 – Plot 27 Plans and Elevations – Rev C
 - PL.19 – Plot 28 Plans and Elevations – Rev B
 - PL.20 – Plots 29-30 Plans and Elevations – Rev C
 - PL.21 – Plots 31-32 Plans and Elevations – Rev D
 - PL.22 – Plot 33 Plans and Elevations – Rev D
 - PL.23 – Plot 34 Plans and Elevations – Rev B
 - PL.24 – Plot 35 Plans and Elevations – Rev B
 - L1046 – 2.1 – 1000 P4 – Coloured Landscape Masterplan
 - L1046 – 2.1 – 1011 P4 – Planting Plan 01
 - L1046 – 2.1 – 1012 P4 – Planting Plan 02
 - L1046 – 2.1 – 1013 P4 – Planting Plan 03
 - L1046 – 2.1 – 1014 P4 – Planting Plan 04
 - L1046 – 2.1 – 1015 P4 – Planting Plan 05
 - Design and Access Statement DS.01 Rev. E
- 2) No development above slab level shall take place until a method statement for the removal of the existing bund on the site and associated replacement boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 3) No construction of the foundations of the dwellings hereby permitted shall take place until details of the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

---END OF CONDITONS---