



Appeal Decision

Site visit made on 22 October 2018

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 12 November 2018

Appeal Ref: APP/V0510/W/18/3196127

Land at Bury Lane, Haddenham CB6 3PR

- 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 Laragh House Developments Ltd against the decision of East Cambridgeshire District Council.
 - The application Ref 17/01107/FUM, dated 21 June 2017, was refused by notice dated 19 October 2017.
 - The development proposed is the erection of 30 dwellings with access from Bury Lane, including affordable housing, open space, children's play area and drainage basin.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council have confirmed that they no longer resist the proposal in relation to its effects on the local highways. In addition, the Council confirms that it cannot demonstrate a 5 year supply of housing land.

Main Issue

3. The main issue in this appeal is the effects of the proposal on the countryside and the character of the area, at the edge of this village.

Reasons

4. The appeal site is formed by a single field, currently used to graze ponies. It sits outside the defined village boundary and immediately adjacent to it. The site is located immediately to the rear of houses on Aldreth Road which is the main road into the village from the south-west. These houses are within the settlement boundary and are a single row of houses fronting onto Aldreth Road. On the opposite side of Bury Lane are houses which extend deeper away from Aldreth Road.
5. The proposal would bring about houses being sited approximately two-thirds of the depth of the site, with a pond, and the remainder at the western end as open space. The extent of the houses would be considerably deeper than the adjacent houses on Aldreth Road and deeper than the houses on Bury Lane.
6. The site is lower than Aldreth Road at its eastern end and fall further to the west. Parts of the site are visible from the junction of Aldreth Road and Bury Lane, along Bury Lane and footpaths nearby. It forms part of an attractive

open agricultural/rural landscape immediately adjacent to the edge of the village. The location here is where the built form of the village gives way to open countryside; the single plot depth of the houses on Aldreth Road and the fact that open land bounds most of the appeal site reinforces this impression to me. The openness of the appeal site and its location mean that it makes a positive contribution to the character of the area at the edge of the village and its character is perceived from the adjacent properties, the road and from public footpaths to the north.

7. The proposal would include a mixture of single and 2 storey dwellings with the lower dwellings generally being sited on the higher part of the site, to its east and close to its entrance. There is some discussion in the submitted documents about the level or projection of the built form of the proposal, when compared to existing houses. In my judgement, the proposed houses would project significantly beyond the rear line of the plots on Aldreth Road here, and would still project noticeably beyond the built form at Bury Lane, even though the western end of the site would be given over to open space.
8. Notwithstanding the hedges that would remain, I consider that the proposal would have a significant visual effect when seen from Bury Lane and the nearby footpaths, both at the entrance to the site and elsewhere. I do not consider that planting within the housing area of the appeal site would alter this impression. I have taken account of the evidence and submissions in relation to the landscape and visual effects of the proposal but my view is that there would be a significant negative effect on the character of the locality, which would not be reduced to an acceptable level even with the passage of time and the maturing of any landscaping. My conclusion on this matter is that the development of this small estate of a suburban layout of dwellings would project significantly beyond the adjacent housing, in a location where, at present, the housing development is reducing in its effect and giving way to open countryside. For this reason, I consider that the proposal would have a significant negative effect on the character of the locality.
9. The land to the north includes part of the adjacent conservation area. The Council states that they consider that the setting of the conservation area would be unacceptably affected by the proposal. The NPPF states that when considering the impact of development on the significance of a designated heritage asset (in this case the conservation area), great weight should be given to the asset's conservation; this is irrespective of the level of harm arising. It adds that any harm to or loss of significance of a designated heritage asset (including development in its setting) should require clear and convincing justification. I consider that the harm that I have identified would also result in some harmful effect on the setting of the conservation area, for the stated reasons. I assess this as being 'less than substantial harm' as set out in paragraph 196 of the revised Framework. The Framework requires that any such harm should be weighed against the public benefits. Having considered this, I find that, when taken as a whole the effects of the proposal would not outweigh the harm to the conservation area. Therefore, this adds some modest weight against the proposal.
10. It is accepted that the Council cannot demonstrate a suitable supply of housing land. Both main parties refer to recent appeal decisions and it appears to be accepted that supply is at 3.86 - 3.9 years. I have taken account of the shortfall in housing land supply in determining this appeal. The NPPF states

that in such situations permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits.

11. The provision of new homes, including some affordable homes, in an area where there is such an under-supply is a clear benefit. Any new residents would have access to the facilities within the village and would provide support for local facilities and businesses by spending here and the construction jobs which the scheme would support would be a benefit, although I see these as only modest in scale. The scheme would also provide public open space which would be a benefit.
12. Whilst I have attached considerable weight to the provision of new homes, I find that the magnitude of the negative impact on the character of the locality is sufficient to clearly and significantly outweigh such benefit, even when combined with the other benefits that I have identified and that are set out by the appellant. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR

Richborough Estates