



Appeal Decision

Site visit made on 30 October 2018

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2018

Appeal Ref: APP/W0530/W/18/3203503

Land to the West of Station Road between nos. 12 and 14 Station Road, Steeple Morden SG8 0NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Steeplefield Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref S/3428/17/OL, dated 28 September 2017, was refused by notice dated 25 April 2018.
 - The development proposed is construction of up to 12 dwellings with all matters reserved except access.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was made in outline with all matters other than access reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to matters other than access.
3. Since the determination of the application the National Planning Policy Framework (the Framework) was published on 24 July 2018. The main parties have provided comments on the Framework in relation to this appeal. I have therefore considered the development against the relevant aims and objectives of the Framework.
4. Since the determination of the application the Council has adopted the South Cambridgeshire Local Plan on 27 September 2018 (LP). The Council has advised that relevant Policies ST/6, DP/2, DP/7 and CH/5 of the South Cambridgeshire Local Development Framework 2007 have now been replaced by Policies S/7, S/10, HQ/1 and NH/14 of the new LP. The aims of the policies are similar and so neither party has been prejudiced by this change in policy circumstances. I have therefore considered the development against the relevant policies of the new LP.
5. The Council states that, since the original application was determined, it can now demonstrate a five year supply of deliverable housing sites. I will return to this later under the other matters relating to this appeal.

6. A signed and completed Section 106 Unilateral Undertaking (UU) has been submitted by the appellant. This would secure contributions towards affordable housing and infrastructure provision and I return to this matter later.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the area, having particular regard to the site's location adjacent to the Steeple Morden Conservation Area.

Reasons

8. The appeal site comprises an area of overgrown trees and scrubs covering about 0.75 hectares that forms part of a former orchard on the western side of Station Road on the south-western edge of the village of Steeple Morden.
9. Residential properties are located to the north, south and east on the opposite side of Station Road that forms one of the main approaches into the village. It is located set back behind a small grass verge with a heavily planted mature street frontage and relatively flat topography with the remaining part of the former orchard and open countryside to the west of the site, which adds to the verdant and distinctive rural character of the area. This is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens and open countryside. The indicative details show a low density residential development of 12 dwellings with public open space/landscape buffer along the southern and eastern boundaries of the site and vehicular access off Station Road.
10. LP Policy S/10 identifies a number of villages including Steeple Morden as Group villages. It indicates that residential development will be restricted to schemes of up to 8 dwellings and, in exceptional circumstances, up to 15 dwellings on brownfield sites within the village development framework. The appeal site is outside the village development framework and in an area designated, in policy terms, as countryside. LP Policy S/7 permits only certain categories of development, including those with an essential need in agriculture or forestry and other uses which need to be located in the countryside. The proposed dwellings do not fall within any of the categories of development resulting in a conflict with the policy.
11. A main objective of the Framework is to take into account the character of different areas, recognising the intrinsic character and beauty of the countryside. Paragraph 170 of the Framework makes it clear that, among other things, valued landscapes should be protected and enhanced. Based on the evidence before me, the site lies in an area which has no national or local designation and, whilst its attractive verdant character is valued by local residents, I consider that it does not fall within the scope of Paragraph 170 of the Framework. It is clear from the evidence and from my observations during my site visit that, given the enclosed nature and the topography of the site and immediate surroundings, the appeal site would not be highly visible in the wider landscape.
12. Nonetheless, on a more local level, given the scale of the development, it would represent a significant shift of the built up development beyond the edge of the village. The appeal site, together with the adjoining fields, provides a significant contribution to the visual quality and rural appearance of the area.

It adds substantially to the character and appearance of this part of the village and provides an important contribution to the rural landscape setting of the village through its verdant and pleasant rural appearance and the gap created in the built form.

13. The appellant's submitted arboricultural report identifies the trees along the front of the site as predominantly of a moderate/low arboricultural quality (Category B/C)¹. These established trees individually and as a group of trees, make a significant contribution to the visual amenity of the area. The positive contribution to the streetscene would be significantly undermined by the proposed development, which would involve the removal of a large number of these established trees and mature landscaping along the frontage of the site.
14. These shortcomings would be exacerbated by the proposal's prominent position where it would be visible from a number of public vantage points along Station Road. I therefore consider that the introduction of the new dwellings and associated features including gardens and other domestic paraphernalia would significantly harm the verdant and undeveloped nature of the site which contributes to the rural character and appearance of the area.
15. I have considered the appellant's arguments regarding the quality and condition of the existing trees, the ecological enhancement benefits in the longer term and that the scale and layout of the proposed development had been carefully considered in order to minimise any impacts on the area.
16. Whilst I recognise that the impact of development could be mitigated to some degree by the construction of dwellings on the north-eastern part of the site of a similar scale and appearance to those cottages directly opposite, the retention of a number of the established trees and the replacement landscaping scheme, these aspects do not overcome the adverse effects outlined above. In addition, there are other means of managing and maintaining the existing trees on the appeal site and restoring the remaining part of the land within the appellant's ownership without the need to construct such an inappropriate residential development. I consider that the proposed development would adversely harm rather than positively contribute to the character and appearance of the area.
17. Given the location of the appeal site adjacent to the Steeple Morden Conservation Area (CA) located immediately to the north-east of the site, special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that, by virtue of the loss of a large number of the established trees and mature landscaping along the frontage of the site, the appeal scheme would erode the existing character and have a negative material impact on the visual amenity of the area. The proposal would fail to preserve or enhance the setting of the CA.
18. Given the scale of the development, the harm would be less than substantial but in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to provide a high quality residential development to meet the local housing need, including five affordable homes, the proposed landscaping and ecological enhancement and the additional contributions towards local

¹ Argenta Arboricultural Report September 2017

infrastructure provision both on and off the site. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.

19. Consequently, I conclude that the proposed development would have a significant harmful effect on the character and appearance of the area including the setting of the adjacent Steeple Morden CA. The development conflicts with LP Policies HQ/1 and NH/14. These policies, amongst other things, seek to ensure that all new development is of a high quality design that preserves or enhances the character of the area, respects the local context and local distinctiveness of the area, sustaining and enhancing the significance of conservation areas as designated heritage assets, including their setting.

Other Matters

20. The Grade II listed dwellinghouse at No. 14 Station Road is located immediately to the south of the site. Given the separation distance, intervening landscaping and screening and the proposed landscaping and indicative layout in the south-eastern corner of the site, I consider that the appeal scheme would have a neutral material impact on the setting of the listed building. The setting would therefore be preserved.
21. A signed and completed UU has been submitted by the appellant towards local infrastructure including waste, indoor community facilities, recreation and open space provision both on and off the site. However, in light of my findings on the main issue above, it is not considered necessary to look at the UU in detail, given that the proposal is unacceptable for other reasons.
22. In relation to affordable homes, LP Policy H/10 states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs and the amount of affordable housing sought will be 40% on schemes of 11 or more dwellings. This will take into account the local needs for affordable housing and the viability of the development. The appellant has stated that they would provide up to five affordable homes in accordance with LP Policy H/10.
23. The Council have provided evidence that South Cambridgeshire has a high level of housing need across the District. The appellant does not dispute this evidence and the signed and completed UU deals with such provision and would make a contribution towards local affordable housing need. The agreement necessarily sets out the requisite numbers, tenures, definitions (including that relating to Affordable Rent) and provision rate in accordance with LP Policy H/10 and the Framework. Based on the evidence before me, I am satisfied that the proposed contribution is necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with the Framework and the Community Infrastructure Levy Regulations 122 and 123. I have therefore attached significant weight to this aspect of the UU in reaching my decision.
24. I note the appellant's comments regarding the support from the case officer in the Planning Committee report and the supporting representations from key consultees on the original planning application relating to the appeal proposal. Whilst this maybe so, this does not preclude the proper planning assessment of the impact of the proposal on the area and is not a determinative factor on its own. I therefore accord these matters limited weight.

25. The Council states that, since the original application was determined, it can now demonstrate a five year supply of deliverable housing sites. Following the adoption of the LP, the Council indicate that they can demonstrate a rolling five year housing supply across the plan period for the Council individually and when considered together as Greater Cambridge. South Cambridgeshire states it has 6.0 years of housing land supply for the period 2018-2023 based on the Liverpool methodology with a 20% buffer².
26. Paragraph 74 of the Framework states that the five year housing supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan. The Council outline that this is in addition to the previous housing land position statement published on 21 May 2018, in which the Council stated that it could demonstrate a five housing supply for the period 2018-2023. The appellant considers that this proposal would boost the housing supply in line with the requirements of the Framework and that the Council have a consistent under-supply of housing that needs to be met. In this respect, I have had regard to the appeal decision at Caldecote³ referred to me by the appellant. However, there is little substantive evidence before me to contradict the Council's statement that it now has the required five year supply and I give this change in circumstance significant weight as a material consideration.
27. The appellant considers that the proposal would provide a sustainable form of development that would have social and economic benefits through contributing to the supply and mix of housing in the area, including affordable homes, providing construction jobs, supporting local services and facilities through new residents and developer contributions towards local infrastructure provision. The Framework promotes sustainable development in rural areas, and the housing would make a positive, albeit modest contribution to the supply of housing and supporting the vitality of the village and the surrounding rural communities, that weigh in favour of the proposal.
28. In environmental terms, the appellant states that the scheme's design, landscaping, ecological enhancement and the accessibility to services by other means of transport than the car would amount to environmental benefits. However, in this case, I have found that the scheme would harm the objectives set out in the Framework and the great weight it places on conserving the landscape and scenic beauty of the countryside and conserving heritage assets in an appropriate manner. I have found above that taken overall the adverse impacts arising from locating the proposed development in this rural location, together with the harm identified to the area's character and appearance and the setting of the adjacent CA, would be contrary to the relevant development plan policies set out above.
29. The harm set out above would conflict with the environmental objective of sustainable development and, in my view, would be sufficient to outweigh the scheme's benefits when assessed against the Framework read as a whole. The proposal would not therefore amount to sustainable development in the terms of the Framework. The Framework is a material consideration. However, in the circumstances of this appeal, the other material considerations do not justify making a decision other than in accordance with the development plan.

² South Cambridgeshire Appeal Statement Cover note and Five Year Housing Land Supply Update September 2018

³ APP/W0530/W/16/3149854

Conclusion

30. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR

Richborough Estates