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## Appeal Decision

Site visit made on 18 March 2019

**by Rachel Walmsley BSc MSc MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26<sup>th</sup> March 2019**

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### **Appeal Ref: APP/W0530/W/18/3207525**

#### **Land south of Shepreth Road, Foxton, Cambridge CB22 6SU**

- 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 Turnwood Ltd against the decision of South Cambridgeshire District Council.
  - The application Ref S/0117/18/OL, dated 10 January 2018 was refused by notice dated 7 June 2018.
  - The development proposed is outline application for 32no. dwellings together with a new access, infrastructure and landscaping.
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### **Decision**

1. The appeal is dismissed.

### **Procedural matters**

2. The application was submitted for outline planning permission with matters other than access reserved. I have dealt with the appeal on this basis, treating all plans, other than the proposed access arrangements, as illustrative.
3. Since the appeal was lodged, the Council have adopted a new Local Plan<sup>1</sup>. As this is the plan that is in place at the time of my decision, I have had regard to its policies.
4. A revised version of the National Planning Policy Framework (the Framework)<sup>2</sup> has been published since the appeal was lodged. Both main parties were given the opportunity to comment on any relevant implications for the appeal. I have had regard to the Framework and any comments received in reaching my decision.

### **Main Issues**

5. These are:
  - i) the effect of the proposal on the character of the local landscape; and,
  - ii) whether the proposed development would be within an acceptable location having regard to the policies of the Local Plan.

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<sup>1</sup> South Cambridgeshire Local Plan, adopted September 2018

<sup>2</sup> National Planning Policy Framework, Ministry of Housing, Communities and Local Government (July 2018)

## Reasons

### *Local landscape character*

6. The site lies outside the settlement of Foxton. The edge of the village nearest the appeal site is clearly defined by a line of built development. Here, properties front Shepreth Road and have front gardens and mature landscaping that contribute to the area's pleasant residential character. Beyond the edge of the village there is an immediate transition to open countryside. Fields are open and rural in character with landscaping on their boundaries.
7. The appeal site is within the East Anglia Chalk National Character Area. This is characterised by a visually simple and uninterrupted landscape of rolling hills and large fields enclosed by hedgerows and few trees. The appeal site, comprising a large field bound by hedgerows and trees contributes positively to this character.
8. The development would extend built development beyond the boundary of the village and into the open countryside. With open fields being maintained on either side of the site, the development would be perceived as an incongruous encroachment into the countryside. Exacerbating this is an existing access between the site and the village which disconnects the development from the existing settlement and reinforces the proposal's position in the countryside.
9. The boundary of the appeal site adjoining Shepreth Road supports mature trees and boundary landscaping. The illustrative plans suggest that this would be reinforced with additional landscaping to screen the development from views along the road. This would lessen the visual impact of the development and indeed I note that the Council's Landscape Officer had no objection to the proposal, subject to the suggested landscaping conditions being imposed. Nonetheless, a profuse strip of landscaping to Shepreth Road would contradict the layout of the properties that front this road and are within the village which have front gardens to the street. This would reinforce the separateness of the development from the existing settlement.
10. Developing the site would create a notable change in the character of the site from rural and open countryside to built-up and urban. Together with harm identified because of the visual and physical separation of the site from the village, the proposal would appear as a discordant encroachment into the countryside.
11. There is a dwelling a distance from the village and accessed off Shepreth Road. The property is screened from the road by landscaping. On plan it would appear that the development would help link this property with Foxton to create a continuous line of built development. However, in reality, given existing and proposed landscaping and that properties in the village have more open frontages, there would be little visual connection between the two.
12. In all, for the reasons given, the development would be an incongruous encroachment into the countryside and therefore harmful to the local landscape character. For this reason the proposal would be contrary to policies HQ/1 and NH/2 of the Local Plan which seek to ensure that development is of a high design quality and respects, retains or enhances the local character and distinctiveness of the local landscape and of the National Character Area in which it is located.

### *Location of development*

13. The appeal site is outside of the settlement of Foxton and is therefore within the countryside. Policy S/7 of Local Plan seeks to ensure that the countryside is protected from gradual encroachment on the edges of villages and confines development in the countryside to uses that need to be located there, unless it is allocated within a Neighbourhood Plan or is supported by other policies in the Local Plan.
14. The appeal site is not allocated in a Neighbourhood Plan, nor is it a use that needs to be located in the countryside. I have found that the development would be harmful to the local landscape character and contrary to the Local Plan as a result. As such I find no reasonable basis to consider the location of the development acceptable in the context of the Local Plan.
15. The site is within a reasonable and accessible walking distance of services and facilities to meet the daily needs of prospective residents. The site also has access to a wider range of services and facilities in larger settlements such as Royston and Cambridge which would be accessible by bus. As such, residents would not be reliant on the private car to meet their daily needs and the accessible location of the site would encourage more sustainable modes of travel.
16. Nonetheless, the Local Plan is recently made and directs development into existing settlements unless the exceptions described above are met. I find nothing specific or substantive within the evidence before me to suggest that these exceptions would be met and therefore that policy S/7 should be set aside. As such the development would not be within an acceptable location and as a result would be contrary to policy S/7.

### *Other matters*

17. The appellant suggests that the site benefits from the presumption in favour of sustainable development, as set out in the Framework. The Inspector's report examining the Local Plan concluded that subject to the Main Modifications, the plan will provide for a five-year housing land supply and the housing requirement will therefore be met. During the course of the appeal the Main Modifications were made and the Local Plan adopted. In light of this and paragraph 74 of the Framework which points to a recently made local plan being sufficient evidence of a five-year housing land supply, I am satisfied that the Council can demonstrate a five-year housing land supply and therefore the proposal does not benefit from the presumption in favour of sustainable development. I recognise that the housing target for South Cambridgeshire may increase in the near future but I have no evidence that this is currently the case. This does not, therefore, dissuade me from my conclusions on the Council's position on a five year housing land supply.
18. The appellant refers to a planning permission for development outside the village of Foxton. This was granted when the Council could not demonstrate a five-year housing land supply and was considered against a different Local Plan. This is not, therefore, directly comparable with the appeal proposal.
19. The development would realise social and economic benefits, not least helping to satisfy a local need for a variety of and affordable housing, providing jobs

during construction and supporting the local economy over the lifetime of the development, and offering the public an area of open space.

**Balancing and conclusion**

20. The development would have a harmful effect on the local landscape character and would be within an unacceptable location. The moderate weight given to the benefits identified do not lead me to determine the appeal other than in accordance with the development plan. I have taken account of all other matters raised, but none changes this conclusion. The proposal would not, therefore, be sustainable development and consequently the appeal is dismissed.

*R Walmsley*

INSPECTOR

Richborough Estates