



Appeal Decision

Site visit made on 21 May 2019

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2019

Appeal Ref: APP/D0515/W/19/3224755

Land north of Estover Road, March, Cambridgeshire PE15 8SF

- 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 St Johns College, Cambridge against the decision of Fenland District Council.
 - The application Ref F/YR15/0668/O, dated 8 July 2015, was refused by notice dated 17 September 2018.
 - The development proposed is an outline application (with all matters reserved except access) for up to 95 residential dwellings, with associated landscaping, drainage and open space on the land north of Estover Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal was submitted in outline with the means of access being considered at the outline stage. Notwithstanding that, an indicative block plan together with other illustrative material has also been provided. However, with the exception of the site access, the details shown on the additional particulars are not being considered at the outline stage. I have therefore treated these drawings as being indicative to show a possible way of developing the site.
3. The Council have described the development as 'Outline with one matter committed detailed as access in relation to 95no dwellings (max) with associated landscaping, drainage and open spaces'. It is noted that the appellant does not object to that description. However, I find that the original description of the development makes more sense as a composite description of the proposal before me.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is located on the north side of Estover Road and currently consists of open agricultural land. There are clear views across the site, and to the countryside beyond it, from Estover Road owing to the absence of any significant landscaping. There are also views of the residential development of Berryfields to the north-west and the cluster of dwellings to the east. To the

- south of Estover Road there is existing residential development of varying ages and styles.
6. From the evidence before me, the site lies outside of the defined development boundary for March and as such, in planning policy terms, is located in the countryside. That said, it is clear that the appeal site lies on the edge of the built up area.
 7. Policy LP3 of the Fenland Local Plan (2014) (LP) sets out that the majority of the districts housing growth should take place in and around March, Wisbeach, Chatteris and Whittlesey. Policy LP4 of the LP sets an approximate target of 4,200 new dwellings for March of which around 3,100 of these are set out in plan allocations detailed in Policy LP9 of the LP. It is anticipated that the remaining dwellings would come forward through windfall sites.
 8. The Council have referred to Policy LP16(d) in their reason for refusal which seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area and does not adversely impact on the settlement pattern or the landscape character of the surrounding area.
 9. Given the existing characteristics of the appeal site, any development would change the overall character of the area. That said, the appeal site does not lie within any special landscape designation and in the context of the National Planning Policy Framework (the Framework) is not a valued landscape. However, the Framework does recognise the intrinsic character and beauty of the countryside.
 10. As part of the appeal, the appellant has submitted a landscape and visual technical note which indicates that the site sits at the transition between the existing built form and the open countryside. It further suggests that the site is semi-rural with a moderate level of tranquillity.
 11. Whilst this may well be the case, given the location of the appeal site on the north side of Estover Road, and the lack of any significant built form to the north, I consider that the site is more closely associated with the undeveloped rural landscape. The presence of the Estover Road playing fields to the west of the site, with only a limited amount of built form, further adds to the undeveloped nature of the immediate area on the north side of Estover Road.
 12. At my site visit I also saw the existing development at Berryfields (which I understand is to be extended by 30 dwellings), the existing development to the east of the site, and the cluster of development around Flaggrass Hill Road. However, none of these developments provide a compelling reason why planning permission should be granted for the development of the appeal site.
 13. Taking all the above into account, the development would have an undesirable urbanising effect on the local landscape and would result in the permanent loss of countryside. In coming to that view, I acknowledge that the level of harm which would arise is not significant and that the development of this site for residential purposes would not be significantly worse than any other greenfield site. Nevertheless, some harm would result.
 14. For the above reasons, the proposal would result in harm to the character and appearance of the area contrary to Policy LP16 (d) of the LP which, amongst other matters, seeks to ensure the settlement pattern or the landscape character of the surrounding area is not harmed.

Other matters

15. The Appellant has outlined that none of the allocated sites for March as set out in Policy LP9 of the LP have come forward. It is also suggested that the town of March is a very long way behind in the delivery of new homes and there is no evidence to suggest that any of the planned sites would come forward within the next five years.
16. As I understand it, there has not been any substantial housing delivery in March following the adoption of the Local Plan. However, I note that the plan period for the delivery of such dwellings runs to 2031. Furthermore, little evidence has been provided to suggest that these sites would not be delivered during the plan period.
17. I have also noted that the Appellant has not advanced a case to indicate that the Council, as a whole administrative area, cannot demonstrate a deliverable five year supply of housing. From the limited evidence before me, and in the absence of any convincing argument to the contrary, I consider that the provisions of paragraph 11d) of the Framework do not come into play.
18. Notwithstanding that, I acknowledge that the delivery of much needed new housing is a benefit together with the economic and social aspects as a result of the construction process and ongoing benefits of new housing and economic activity in the town. However, I consider that these benefits (including the delivery of affordable housing) do not outweigh the harm I have identified in respect of the character and appearance of the area and the conflict with the adopted LP.
19. I have also had regard to the numerous representations received on the proposal which have included concerns relating to drainage, highway concerns (including traffic generation, highway safety, pedestrian footpaths and level crossing dwell times), loss of agricultural land, local infrastructure capacity, wildlife and ecology and loss of outlook.
20. Whilst all of these matters are material planning considerations, none of the matters raised provide a compelling reason why planning permission should be withheld, subject to the delivery of suitable mitigation measures which could be dealt with by means of planning conditions (and/or a legal agreement as appropriate) should I have been minded to allow the appeal.
21. In addition to the above, I acknowledge that the completed section 106 agreement (dated 14 May 2019) has been submitted which includes the delivery of open space on the site and a limited amount of affordable housing together with financial contributions towards various infrastructure including contributions towards health, public realm, rail, highways, travel plan, library and education provision. The matters contained in the agreement are designed to mitigate the effects of the development (save for affordable housing). Given my conclusions on the overall development I have not therefore considered these matters any further.

Conclusion

22. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR

Richborough Estates