



Appeal Decision

Hearing Held on 8 January 2020

Site visit made on 9 January 2020

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2020

Appeal Ref: APP/H0520/W/18/3219040

Land at Old Ramsey Road, St Ives PE27 3LL

- 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 Abbey Properties Cambridgeshire Limited, Richard Edward Anderson & Jane Norman against the decision of Huntingdonshire District Council.
 - The application Ref 17/00931/OUT, dated 28 April 2017, was refused by notice dated 22 June 2018.
 - The development proposed is a rural exceptions residential development involving the erection of 131 dwellings, access arrangements and associated works (outline application with all matters reserved except access).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development was amended to a rural exceptions residential development on 26 March 2018 and was determined on that basis.
3. The application was submitted in outline with all matters reserved for later determination except access. The appeal has been considered on this basis, treating the block plan, phasing plan and the potential breakdown of open space, affordable and open market housing areas as illustrative only.
4. The Council's third reason for refusal was that the provision of affordable housing and other benefits had not been secured by a legal agreement. However, subsequent discussions led to a S106 agreement which addressed these concerns and as a result this reason for refusal was withdrawn.

Main Issues

5. The main issues are:
 - whether the proposal complies with the criteria in the local plan for a rural exceptions housing scheme; and
 - whether the proposal would adequately protect the potential archaeological interest of the site.

Reasons

Background

6. The proposal is for residential development on a large L shaped agricultural field about 10.8 ha in size to the west of Old Ramsey Road north of its junction with Hill Rise/Marley Road on the outskirts of the market town of St Ives. Importantly, 60% of the developable area would be used for affordable housing (at least 79 dwellings) and just 40% for market housing.
7. St Ives is designated as one of four spatial planning areas in Huntingdonshire's Local Plan to 2036 (the HLP) adopted in May 2019 which recognises its status as one of the district's most sustainable centres where the majority of housing and employment growth will be focussed. However, the appeal site lies outside the built-up area of the town and hence in the countryside where Policy LP10 restricts development unless provided for in other policies of the plan. One such policy, which the appellant relies on in this case, is Policy LP28 which allows for rural exceptions housing schemes in certain circumstances.
8. It is agreed that the housing policies in the HLP are up to date and the 'tilted balance' does not apply in this case. The objectively assessed need for housing over the 2011-36 plan period is set by the HLP as 20,100 homes (804 dpa). The latest monitoring report shows that about 85% of the requirement since the start of the plan period has been delivered¹ and the Housing Delivery Test that 92% of the necessary housing had been built over the relevant three year period². With a healthy 1,040 completions in 2018/9 and a further 5.59 years housing land supply³ in the pipeline, the overall delivery of housing in the district appears relatively robust against HLP requirements.
9. However, within the overall housing requirement the HLP also establishes the need for 7,900 affordable homes (316 dpa) over the plan period and delivery against this figure has been much less satisfactory. Although this is not a formal policy requirement, by 31 March 2019 just 1,113 affordable dwellings had been delivered, 44% of the affordable housing needed since the start of the plan period and only 20% of all housing completions.
10. Looking forward, the Council's policy to seek 40% affordable housing on large sites (subject to viability) is expected to deliver significant results. Depending on the precise percentages achieved at St Neots East and Alconbury Weald, the main strategic sites, between about 3,900 and 6,100 more affordable dwellings should be built. Together with completions to date and about 300 on rural exception sites⁴, a total of between 5,300 to 7,500 affordable homes can be anticipated, i.e. between 67% and 95% of the 7,900 target. Whilst a substantial number, on any analysis the full level of need would not be met.
11. To supplement the large sites policy which has been in place for many years, the Council has now introduced through Policy LP28 a new and more proactive approach to encourage more affordable housing on rural exceptions sites. The previous rural exceptions policy in the 2009 Core Strategy (Policy CS5) only supported schemes for a limited number of houses in smaller settlements, and

¹ As at 31 March 2019, delivery target 2011 to 2019 - 6,432 dwellings, completed dwellings - 5,456.

² 2018 Housing Delivery Test figure.

³ Making up the shortfall to date over the next five years (the Sedgfield method) and using a 10% buffer which is the council's approach given the recently adopted plan.

⁴ Derived from the local plan inspector's estimate - 35 dpa x 14 years x 60% affordable.

there was no support for any market housing as part of any scheme. In practice, cross-subsidy in the form of about 30% market housing was found to be necessary to bring forward viable schemes on such sites.

12. Building on this experience, Policy LP28 allows as a matter of principle rural exception schemes that deliver at least 60% of the site area for affordable housing to meet local needs, the remainder being available for market housing or plots for custom/self-build housing. Importantly, the policy no longer restricts the number of houses which can be provided in an exception scheme nor limits the policy to the smaller settlements. HLP paragraph 7.45 makes clear such schemes can be outside the built-up area of any settlement.
13. Policy LP28 therefore provides policy support in principle for a large scale rural exceptions housing scheme on the outskirts of St Ives. The key issue in this case is therefore whether the appeal proposal fully complies with the criteria in the policy such that it would be an acceptable scheme.

Rural exceptions housing scheme

14. The Council accept that the scheme meets many of the essential criteria for a scheme under Policy LP28. First and foremost, at least 60% of the developable site area would be made available for affordable housing for people with a local connection and this would be secured by a S106 agreement. The remainder of the site would be used for open market housing.
15. The number and type of affordable dwellings would also be controlled by the S106 agreement and justified by evidence of local need. In this instance a local housing needs survey was not required as the Council agreed that the housing waiting list of about 7,600 applicants demonstrated more than enough need to justify the scale of the development proposed. With the expansion of St Ives heavily constrained by flooding and highway issues, the HLP only allocates sites for 430 dwellings in or near the town of which only about 150 are expected to be affordable⁵.
16. The Council also accept that the proposal would be sustainable in terms of the availability of services and infrastructure, and there would be opportunities for the new residents to travel by sustainable modes. To facilitate these aspects the scheme would make a substantial Community Infrastructure Levy payment and provide certain other benefits through the S106 agreement.
17. Nevertheless, to be acceptable under Policy LP28 the proposal must meet two other important criteria. The scheme must be well related to the built-up area concerned (the first sentence of the policy) and its location must be sustainable in terms of the effect on the character of the immediate locality and the settlement as a whole (criterion diii).
18. The appeal site comprises a single L shaped arable field which abuts the west side of Old Ramsey Road. It has a road frontage of about 100 m, a depth of about 500m and is surrounded by hedgerow boundaries except the northern boundary which is marked by occasional individual trees and an open boundary to a smaller field to the south east. The site slopes noticeably from south to north with an overall level difference of about 12 m. From the north west round to the east the site adjoins further open agricultural land whilst to the south are a number of urban fringe uses. These comprise a large cemetery on

⁵ These are included in the figures in paragraph 9.

the corner of Old Ramsey Road and Hillrise, an extensive area of allotments and a spacious complex of public open space and recreation uses including Hillrise Park and further along the St Ivo Outdoor Centre.

19. These may be urban fringe uses but they form a wide belt of essentially open land which separate the appeal site from the existing built-up area of St Ives. At present St Ives, which has grown substantially outwards from its historic core, is almost wholly contained to the north by the circuitous distributor route of Hillrise and Marley Road. These run from the A1123 Houghton Road to the west all the way round to the B1040 Somersham Road to the east and together form a strong and legible boundary to the built-up area, the only exception being the relatively small Ansley Way housing estate near Houghton Road. The proposed housing estate would therefore be isolated and represent a significant departure from the existing built form and layout of the town.
20. In the local context there would be a wide visual gap between the scheme and the existing built-up area with the first 200 m or so of Old Ramsey Road being bordered by the cemetery, open countryside and just two detached dwellings in large plots before the development is reached. The smaller field fronting Old Ramsey Road between the two dwellings would remain undeveloped with the new housing visible behind appearing particularly incongruous.
21. The proposal would also significantly harm the existing character and peaceful ambience of the cemetery, allotments and public open space/recreation land which are all well used by residents of the town. These are separated from Hillrise and the housing beyond by a wide and well-established tree belt which contributes to a sense of detachment from the urban area. Notwithstanding the additional landscaping proposed the sight and sounds of a housing estate on the other side of the existing hedgerow would be readily apparent to allotment users and even more so to users of the informal dog walking area within Hillrise Park. This extensive area of rough grassland projects into the open countryside at present and runs alongside the western boundary of the appeal site for 200 m or so. The higher ground provides attractive views over the wider countryside and some into the appeal site; as a result the proposal would inevitably harm the open character of this area.
22. The scheme would also appear as an incongruous feature within the landscape when seen from the open countryside to the north and west of the site. As the zone of theoretical visibility demonstrates, the new housing would be seen from a wide area within which are a number of rights of way. Old Ramsey Road, a quiet dead end, is well used by walkers to enjoy the countryside together with the footpath via Hiam Lodge to Wyton on the Hill. From the latter footpath section there are currently some signs of St Ives in the distance but it is largely screened by vegetation including the tree belt alongside Hillrise. The new housing however would be seen encroaching towards the viewer into an otherwise mainly rural landscape and its prominence would be increased by its situation on a north facing slope. The appellant's indicative visualisation of the scheme from this footpath demonstrates that the proposal would appear isolated and intrusive in the landscape even after 15 years⁶.
23. In closer views approaching the site along Old Ramsey Road, for example from near Cowbut Cottage, the new housing would dominate the foreground and appear particularly jarring due to the sloping nature of the site exposing roofs

⁶ Viewpoint 3 of the Landscape, Townscape and Visual Impact Assessment (TLVIA).

to view across its full depth. Notwithstanding the landscaping proposed and 45% of the site to remain open space, with undeveloped fields to both the left and right, the housing scheme would appear isolated in the landscape and both visually and physically detached from the town of St Ives beyond.

24. The appeal site together with the adjacent cemetery, allotments and informal open space are currently unlit at night in contrast to the street lighting along Hillrise and Marley Road and the well-lit housing estates of St Ives beyond. Whilst there is some lighting due to two or three individual dwellings near the site and more distant lighting from St Ives⁷, Wyton on the Hill and further afield, the proposal would introduce a large new housing estate with extensive street and house lighting into a currently dark rural location. Because of the sloping site and topography of the area this would be seen over a long distance. The details of this lighting could be controlled but the result would inevitably be a fundamental change in the character of the area at night.
25. For these reasons the proposal would not be well related to the built-up area of St Ives. In addition, it would cause significant harm to the character of the immediate locality and, due to the impact on its wider setting, the character of St Ives as a whole. The proposal therefore conflicts with two fundamental criteria of Policy LP28 and therefore does not comply with all the requirements of the local plan for a rural exceptions housing scheme.
26. The appellant argues that compared to the alternatives the site is the best for a rural exceptions housing scheme seeking to provide more affordable housing for St Ives. Whether or not this is the case Policy LP28 is a permissive policy allowing for such schemes in locations that meet the criteria rather than a policy requiring a scheme in every instance where there is affordable housing need. Since the start of the HLP seven rural exceptions schemes have been permitted where suitable sites have been identified.

Archaeological interest of the site

27. A desk-based assessment was submitted with an earlier application in 2016. Using a range of sources, this concluded there are no designated heritage assets within 1 km of the site and no non-designated assets or archaeological records from the site itself, the only known evidence being ploughed out ridge and furrow within the eastern part of the site. Three prehistoric and five Roman individual findspots are recorded within the 1 km study area and a possible Roman cremation near Houghton Road, together with eight cropmarks showing enclosures and associated features of possible prehistoric/Roman origin to the west, north and east of the site in the surrounding agricultural land. Whilst three of these to the north and west are suggestive of a small settlement, none are recorded on the site itself and on this basis the study concluded there was low/negligible potential for significant remains on the site. The appellant thus considers that any remains can be adequately protected by imposing a suitable condition requiring investigation prior to commencement; should significant remains be found the layout of the scheme could be altered to protect them.
28. However, the County archaeological service disagree with this assessment and attended the hearing to present their view that there is insufficient evidence to reach this conclusion. The available evidence from the surrounding area

⁷ Including pitch floodlighting at the St Ivo Outdoor Centre

indicates the site is in fact located within an extensively settled and managed landscape with activity spanning the late prehistoric and Roman periods. The lack of cropmarks may be due to ground conditions, agricultural practices or the character of archaeology present and is thus not conclusive, furthermore no systematic fieldwalking has been undertaken. The cropmarks 300 m to the north west are of particular importance as indicating a possible Roman villa complex which would have been the centre of a managed estate. The presence of significant remains is therefore a real possibility as turned out to be the case in comparable circumstances recently at Farrier's Way, Warboys⁸. If remains are found it may require changes to the housing layout potentially increasing the impact of the scheme in the landscape or even preclude construction of the full 131 dwellings.

29. The local knowledge of the county archaeological service is persuasive in this case and consistent with the precautionary approach of both national⁹ and local policy to require a field evaluation where necessary. There is no reason why such an evaluation cannot be undertaken in this instance and without one the scheme conflicts with HLP Policy LP34. This specifically envisages the current situation when it states 'if initial site assessment does not provide sufficient information to enable consideration of the impact of the proposal on the significance of archaeological remains, developers will be required to undertake fieldwork evaluation of a site in advance of determination of the application'.

Planning Balance and Conclusion

30. The proposal would not be well related to the built-up area of St Ives, it would cause significant harm to the character of the immediate locality of the site and the character of St Ives as a whole. However well designed, the scheme would therefore not fully comply with the criteria in Policy LP28. In addition, in the absence of an archaeological field evaluation, the proposal conflicts with Policy LP34. Given these critical findings the scheme conflicts with the development plan when considered as a whole.
31. The proposal would provide 131 dwellings in total of which at least 79 would be affordable. This would have important economic and social benefits for the area and make a useful contribution to local housing requirements. Affordable housing in particular is much needed to provide for the large number of St Ives residents on the housing waiting list. There would also be improvements in biodiversity on the site. These benefits taken together should be given significant weight. However, these material considerations are not sufficient to outweigh the conflict with the development plan and the harm that has been identified under the two main issues.
32. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

⁸ Application 14/01887/OUT where the desk-based assessment came to a similar conclusion.

⁹ National Planning Policy Framework paragraph 189.

APPEARANCES

FOR THE APPELLANT:

Andy Brand BSc MA MRTPI	Planning Director, Abbey Properties Cambs. Ltd
David Mead BA DipUP MRTPI	Director – Partners in Planning & Architecture

FOR THE LOCAL PLANNING AUTHORITY:

Jacob Jaarsma BSc MRTPI	Planning Services Manager, Huntingdonshire DC
Clare Bond MA DipTP	Planning Policy Team Leader, Huntingdonshire DC
Andrew Thomas BA	Senior Archaeologist, Cambridgeshire CC
Kerry Hopper BSc	Archaeological Officer, Cambridgeshire CC

INTERESTED PARTIES:

Cheryl Goodwin	Local resident & business owner
Gary Cowens	Local resident
Roger Mayhew	Local resident

DOCUMENTS SUBMITTED AT THE HEARING

Appellant's Housing Figures Update and Errata Note

Report on the Examination of the Huntingdonshire Local Plan 29 April 2019

Housing & Economic Land Availability Assessment December 2017 (extracts)

HDC Annual Monitoring Report Part 1 Housing October 2019

HDC Annual Monitoring Reports December 2012 & December 2015 (extracts)

Representation from Roger Mayhew

Aerial photograph of cropmarks NW of site

Possible revised wording for Condition 5 from LPA

Attendance List