

AXIS LAND PARTNERSHIPS LTD

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL UNDER SECTION 78 AGAINST THE REFUSAL BY SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL OF AN OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF LAND FOR A RETIREMENT CARE VILLAGE IN USE CLASS C2 COMPRISING HOUSING WITH CARE, COMMUNAL HEALTH, WELLBEING AND LEISURE FACILITIES, PUBLIC OPEN SPACE, LANDSCAPING, CAR PARKING, ACCESS AND ASSOCIATED DEVELOPMENT AND THE PROVISION OF LAND FOR USE AS A COUNTRYSIDE PARK FOR PUBLIC ACCESS

LAND BETWEEN HAVERHILL ROAD AND HINTON WAY, STAPLEFORD, CAMBRIDGE

SUMMARY PROOF OF EVIDENCE - PLANNING

LPA Reference: S/02929/20/OUT

PINS Reference: APP/W0530/W/21/3280395

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1. INTRODUCTION

Personal Details

1.01 My name is Colin William Brown. I hold a first class Bachelor of Arts (Hons) degree in Town and Country Planning from the University of Newcastle-upon-Tyne (1991).

1.02 I am a Chartered Town Planner, I obtained full Chartered membership of the Royal Town Planning Institute in 1992. I have over 30 years' experience as a practicing Town Planner. I am currently employed as a Partner and Head of the Planning and Development Division in the Planning & Development Team at the Cambridge office of Carter Jonas LLP, a leading nationwide firm providing property services to private and corporate clients.

Scope of Evidence

1.03 In section 1 of my proof of evidence I explain that this appeal is against the refusal of planning application ref. 20/02929/OUT by South Cambridgeshire District Council ('the Council') on 20 April 2021 (**CD3.3**) for development of land for a retirement care village in Use Class C2.

1.04 I explain that my proof of evidence will deal with the following matters:

- The Appeal Scheme and Surrounding Area
- Local Planning Policy and Local Guidance, Assessments and Strategies
- National Planning Policy & Guidance
- Third Party Objections
- Benefits of the Appeal Proposals
- Planning Balance

1.05 I confirm that an agreed S106 Obligation will be entered into prior to the opening of the Inquiry.

Statement of Truth

1.06 The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2. SUMMARY

- 2.01 In section 2 of my proof of evidence I provide a summary of the appeal scheme and the surrounding area. I explain the proposals and that the parameter plans seek to guide and control the future development of the land.
- 2.02 In section 3 I identify those policies of the development plan that are relevant to the determination of the appeal. I explain that I consider that the appeal proposals are generally consistent with the adopted development plan.
- 2.03 I explain that the provision of a retirement village on the edge of the Rural Centre of Stapleford, one of the most sustainable locations within the District, is consistent with the Council's development strategy. Critically, I note that the Council's development plan lacks any meaningful policy requiring the delivery of housing or accommodation for older people despite the fact that the NPPF requires Councils to plan to meet the housing needs of their area, that national planning guidance identifies the need for older people's housing as critical, and that at the time that the development plan was produced the Council's Strategic Housing Market Assessment identified an anticipated 80% increase in the number of older people over the age of 75 in South Cambridgeshire.
- 2.04 I explain that the Council's policy for development within the countryside does not preclude provision of a retirement village in this location because in these specific circumstances the provision of the appeal scheme is supported by other policies of the development plan and that in such circumstances policy S/7 is supportive of development in the countryside. I further explain that reduced weight should be given to the Council's policy for development in the countryside given the failure of the development plan to meaningfully address specialist housing needs for older people.
- 2.05 I further explain that the appeal proposals will accord with relevant policies within the development plan concerning landscape and urban character. I conclude that the appeal proposals will respect and retain, and in instances will significantly enhance, the local character and distinctiveness of the local landscape and of the individual National Character Area. I do not consider that there will be harm to the urban character of the area.
- 2.06 I consider the proposals against the Council's policies for biodiversity enhancement and provision of green infrastructure. I note a large number of local studies, strategies, guidance and policies that identify; that Cambridgeshire has a smaller proportion of natural habitats than most counties in Britain; massive declines in biodiversity in Cambridgeshire in the recent past, and; identify a need for biodiversity enhancements in the area of the appeal site. The Council itself has recently declared a 'Biodiversity Emergency'.
- 2.07 Similarly, I note that many of the same local studies, strategies, guidance and policies identify that Cambridgeshire has a very low amount of open access land and accessible natural greenspace relative to other areas in the region and that consequently natural assets in Cambridgeshire, including those in the immediate vicinity of the site at Wandlebury and

Magog Down, are experiencing conflicts and damage from recreational pressures. I note that the Council has a number of policies, studies and strategies that specifically identify that the provision of additional public access to the countryside in this location would be beneficial both in and of itself and also to alleviate the pressure and damage to existing designated areas of open space in the countryside in the wider area. I conclude that the proposals accord strongly with the development plan policies for biodiversity enhancement and green infrastructure provision.

- 2.08 I further note that there is no evidence that the various biodiversity and access goals and objectives identified in the local studies, strategies, guidance and policies will be achieved by the Council alone. There is no evidence that the Council can reverse biodiversity decline and improve public access to nature and green space without delivery of private development schemes such as the appeal scheme.
- 2.09 In section 5 I assess the appeal proposals against the relevant chapters of the NPPF having regard to the main matters identified by the Inspector. I consider that the appeal proposals comprise sustainable development and do not conflict with national planning policy.
- 2.10 In section 6 I provide a brief statement on third party appeal submissions, I conclude that no issues raised by third parties mean that the appeal should not be allowed.
- 2.11 In section 7 I identify the main planning benefits of the development proposals. I conclude that the planning benefits are numerous and justifiably attract a variety of weighting ranging from very substantial weight to moderate weight.
- 2.12 In section 8 I conduct a planning balance exercise where I weigh the planning harms identified against the planning benefits and I conclude that the planning benefits very clearly outweigh the harms identified. I present my professional opinion as regards planning balance in the form of a table, which I set out below. In doing so I include the weighting that the Council has given to matters as set out in its Statement of Case and I observe that in many aspects the weight applied is the same.

Harms and Weighting		Benefits and weighting		
Harm	Weight	Benefit	My Weighting	Council Weighting
Harm to the Green Belt by inappropriateness and conflict with purposes.	Substantial	Provision of older people's accommodation	Very Substantial	Very Significant
Low level of less than substantial harm to setting of Little Trees Hills Scheduled Ancient Monument	Significant	Provision of largescale biodiversity enhancement	Very Substantial	Significant

Landscape and visual harm	Significant	Release of market housing	Significant	Significant
		Social Cohesion and Well-being benefits	Significant	Significant
		Largescale landscape and visual enhancements	Significant	Not weighted
		Enhanced public access to the countryside	Significant	Significant
		Economic benefits	Moderate	Moderate

Table 1 – Planning Balance

- 2.13 Having concluded as such, my clear view is that allowing the appeal in this instance would not conflict with relevant Green Belt policy within the NPPF or within the development plan, or with any other relevant policies within the NPPF or development plan.
- 2.14 Even if it could be concluded that there is conflict with the development plan in this instance I consider that material considerations weigh so strongly in favour of the granting of permission that such granting of permission would be in clear accordance with National Planning Policy.