



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

PROOF OF EVIDENCE

of Stephen Connell BA (Hons), Dip TP, MRTPI

**on behalf of Shared Greater Cambridge
Planning Services**

land at Teversham Road Fulbourn

LPA Reference: S/3290/19/RM

PINS Reference: APP/W0530/W/22/3291523

CONTENTS

1.0 Scope of Evidence

2.0 Assessment

APPENDICES

Appendix 1 - Qualifications and Experience

Appendix 2- Statement of Truth

Appendix 3 - Appointment

Appendix 4- Summary of Proof

1.0 SCOPE OF EVIDENCE

1.1 This proof of evidence is presented to the Public Inquiry, scheduled for 5 days commencing on 24th-27th May and 30th May 2022. For the avoidance of doubt, matters of 1) Design will be dealt with by Gary Young of Place 54 Architects Ltd; 2) Matters of Surface Water Drainage and Flood Risk will be dealt with by Kate Mackay of WSP. My proof should be read in conjunction with theirs.

1.2 My evidence is structured as follows:

- Whether the Appeal Proposal would be contrary to 1) Policy HQ1 of the South Cambridgeshire Local Plan 2018, 2) Fulbourn Village Design Guide Supplementary Planning Document 2020 3) National Planning Policy Framework 2021 [as read as a whole] and would be harmful to character and appearance of the area (Reason for Refusal 01).
- Detailing Local Plan Policies in relation to matters of drainage and flood

- To provide an assessment of the planning balance of the Appeal Proposal.

2.0 ASSESSMENT

2.1 Whether the Appeal Proposal would be contrary to 1) Policy HQ1 of the South Cambridgeshire Local Plan 2018, 2) Fulbourn Village Design Guide Supplementary Planning Document 2020 3) National Planning Policy Framework 2021 [as read as a whole] and would be harmful to character and appearance of the area (Reason for Refusal 01).

2.2 The reserved matters application stated that it was submitted pursuant to the outline planning permission granted on 26 October 2017 with reference S/0202/17/OL. The outline permission granted permission for up to 110 dwellings on the site with details for access approved and all other matters reserved. The reserved matters application seeks approval for layout, scale, appearance and landscaping for the erection of 110 dwellings at the site.

2.3 A number of conditions attached to the Outline planning permission have also been submitted and discharged¹. Further information on these applications is set out within the SoCG.

The Development Plan

2.4 All planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise as set out at section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

2.5 In this respect, the relevant component of the Development Plan in South Cambridgeshire is the Local Plan (2018) and in so far as it is relevant to the Appeal Proposals it is up to date.

2.6 Policy HQ1: Design Principles [CD]

Policy HQ1 is an overarching policy which seeks all new development to be of high-quality design with a clear vision as to the positive contribution the development will make to its local and wider context. As appropriate to the scale and nature of the development proposal must amongst other things preserve or

¹ Conditions 7,12,14,19 and 20

enhance the character of the local urban and rural area and respond to its context in the wider landscape.

2.7 It is acknowledged that the Development Plan must be read as whole. In this connection one of the key objectives of the Development Plan is to deliver new developments that are of high quality and well designed with distinctive character that reflects their location, and which responds robustly to the challenges of climate change [Policy S/2 (d) -CDE1]. According to Policy S/1 [CDE1] the vision is that *“South Cambridgeshire will continue to be the best place to live, work and study in the country... our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment”*.

2.8 I consider that the Development Plan is underpinned by policies which seek to deliver well-designed developments that preserve or enhance the character of the area.

2.9 In relation to the SPD – parts of the Fulbourn Village Design Guide [CDE5] with particular relevance to integration of larger developments with the village are -

- 10.3 which seeks open views across the whole site towards countryside and local landmarks
- 10.10 – 3 storey buildings are not typical of the village and should only be considered with extreme care- they should be sited away from prominent frontages to minimise visual presence, and be articulated to avoid any bulkiness
- 10.12 The height should be lower than the crown of surrounding mature trees to retain the setting of a ‘village among trees’
- Figure 46 provides additional guidance to address the challenge of successfully integrating of the development into village.

National Planning Policy Framework

2.10 This document sets out the Government’s policies for the delivery of sustainable development. The Framework is to be read as a whole.

- 2.11 The NPPF was revised in July 2021. The overriding revision to the NPPF which relates to the appeal is that new development should not only be well-designed, but it should also be beautiful. This reflects the Government’s commitment to *“making beauty central to the planning system”*.
- 2.12 Paragraph 8b has been expanded to include *“beautiful and safe places”* as a social objective in the planning system for achieving sustainable development
- 2.13 Paragraph 126 (formerly paragraph 124) – the opening paragraph of section 12 which deals with achieving well-designed places - has been expanded to include *“beautiful and sustainable”* buildings as being fundamental objectives in the planning and development process.
- 2.14 Paragraph 134 (formerly paragraph 130) has been strengthened setting out that *“development that is not well designed should be refused, especially where it fails to reflect any local design policies and government guidance on design and [SPD] such as design guides and codes”*. In this case there are relevant local design policies and SPD.

- 2.15 Paragraph 130 consists of criteria which amongst other things requires developments to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 2.16 Paragraph 132 acknowledges the importance of proactive and effective engagement with the community.
- 2.17 I have read Gary Young's evidence and I agree, Apartment Buildings – Blocks A & B are poorly designed as set out in full in his proof of evidence. In addition, I accept his contention that a more appropriate design could be achieved which would reflect with National and Local Policies whilst remaining within the parameters of the Outline Permission.
- 2.18 Following my site visit together with an assessment of the Design Guide and photographs as set out in Fig (3.6.1 – 3.6.6),(3.7.1 – 3.7.4), (3.8.1 – 3.8.2) of Gary Young's proof of evidence I conclude that Blocks A & B would be harmful to the character and appearance of the area. In terms of the photographs, I accept that they have been taken in early spring and views into the site may differ depending upon the time of year. I acknowledge that screening will be better during the summer

months compared to winter months but given the scale of Blocks A & B in this location I consider the harm to be demonstrable during all times of the year. There are gaps between trees sufficient for the building to be visible throughout the year.

2.19 It is my opinion that views through the site across Poor Well and along the chalk stream towards the open countryside beyond are important ones. Development in this location needs to act positively to the rural edge and open countryside beyond in line with the requirements of the Supplementary Design Guide. Blocks A & B at the scale and design proposed in this location with its vertical emphasis reflect a building more appropriately placed in a central urban location. I agree with Mr Young that the buildings are designed to reflect as a gateway or landmark type building which in my opinion fails to harmonize with the rural edge with open countryside beyond. It would seem to me that a more appropriate design would be to reflect a simple two-storey courtyard style layout as illustrated at the Outline permission plan M03 Rev C.

2.20 This leads me to consider whether there is a possibility that a planning condition could be imposed that would exclude matters relating to Block A & B whilst approving RM for the remaining

site. In my opinion to exclude unacceptable elements of a scheme which form an integral part of the scheme as a whole would be unacceptable. Scale is not the only matter for consideration. It is necessary to assess impacts on living conditions of occupiers, integration of landscaping, parking layouts and locations. Therefore it would be necessary to undertake a holistic approach to determination of the development as a whole. I therefore conclude a resubmission of the RM would be necessary.

2.21 In terms of Heritage Assets, I understand that the Inspector will need to make his own assessment of harm under the terms of Section 66 & 72 of the Planning (Conservation and Listed Buildings) Act 1990. The harm should then be given considerable importance and weight (or, to use the NPPF's terminology, "great weight"), and added to the balance.

2.22 I am aware that Poor Well is located within the Conservation Area. However, it is my understanding that the Council did not pursue matters of harm to the Conservation Area as a reason for a refusal. On this basis the Council does not advance a positive case that there is harm arising to the Conservation Area.

- 2.23 I am aware that the Rule 6 party raise the issue of harm to the Conservation Area. I do not disagree with the Rule 6's case in this matter but I repeat that it does not form a reason for refusal for the purposes of the Council's case.
- 2.24 On the basis of above, I consider the development in terms of Block A & B at the scale proposed in this location would be harmful to the character and appearance of the area.
- 2.25 I note that the Council consider that the land levels will be raised by 900mm and consequently the harm would be exacerbated by this increased height. This matter is on going and subject to additional information to be tested at the Inquiry.
- 2.26 In this connection, I have assessed the proposed development in relation to Block A & B to be harmful to the character and appearance of the area. This assessment is made on the basis there is no increase in land levels. If it is found that the land levels would be increased, then I agree with the Council that the

identified harm would be exacerbated and the weight to be attached to the harm will increase.

2.27 In summary, the proposed development in relation to Blocks A & B would be harmful to the character and appearance of the area by virtue of the scale of development in this location. The development would thereby be in conflict with the Development Plan, Supplementary Design Guide and National Planning Policy Framework. It is argued that an improved design could be achieved in this location whilst reflecting the parameters of the Outline Permission.

2.28 **Detailing Local Plan Policies in relation to matters of drainage and flood**

2.29 In terms of Reason for Refusal 02, I rely solely on the professional opinion of Kate MacKay. The Appellants have provided additional information to demonstrate that a satisfactory scheme of surface water drainage can be incorporated into the scheme. The case at the time of writing this proof is that the development would be contrary to Policies CC/7, CC/8 and CC/9

which require developments to incorporate suitable sustainable drainage scheme to ensure flood risk is not increased elsewhere.

2.30 Planning Balance

2.31 Reason for Refusal 02 states “that insufficient information has been submitted to demonstrate that the reserved matters scheme can provide a satisfactory scheme of surface water drainage and prevent the increased risk of flooding”.

2.32 Additional information has been submitted as part of the Inquiry and at time of writing this proof has not been tested. Therefore, for the purposes of the balancing exercise I have excluded surface water drainage matters. If the Appeal proposal is later found to be in conflict with Local Plan Policies CC/7, CC/8 and CC/9 it will further compound the negative effect on the environmental element of sustainable development.

2.33 It is my view that there is conflict with an up- to- date Development Plan, Supplementary Planning Document and latest National Planning Policy Framework. When assessing the Development Plan, the Supplementary Planning Document and the latest National Framework as a whole, I consider the conflict in relation

to Blocks A & B to be of Moderate harm, rising to Significant if the land levels are raised, in an otherwise well-designed scheme. Nevertheless, it is necessary to undertake an assessment of planning benefits to ascertain if the benefits outweigh the harm.

2.34 The Appellant's submission in relation to planning benefits are set out in their statement of case (p6.2)

2.35 The Appellant's case is the proposal would lead to the following benefits

- The delivery of 110 dwellings, including 33 affordable dwellings
- Development on a highly sustainable non-Green Belt location in close proximity to the City of Cambridge where there are good pedestrian, cycle and bus connections.
- The ecological enhancements to the chalk stream running through the site, and enhancement to the Pumphouse Gardens
- The on-site provision of significant play space and areas for recreation including public access to the Pumphouse Gardens

- Local construction jobs and enhanced spending within the village during construction and following occupation

2.36 In response, I argue that the development relates to Reserved Matters following the approval of an Outline permission for a scheme of up to 110 dwellings. The principle of development has been accepted. Those benefits would have been weighed in favour of the development at the Outline Application stage. Furthermore, the Council's case relates (for the purpose of this balancing exercise) to Block A & B only. A revised design could be achieved whilst falling within the parameters of the Outline Illustrative Plan. It is my case that a revised scheme with lesser harm to the character and appearance of the area would equally have the public benefits outlined by the Appellants. With this in mind, I therefore afford limited weight to the identified public benefits.

2.37 Consequently, the public benefits do not outweigh the conflict with planning policies and the identified harm.