

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

PROOF OF EVIDENCE - PLANNING AND NEIGHBOUR AMENITY

KAREN PELL-COGGINS

APPEAL BY CHURCHILL RETIREMENT LIVING LTD.

**AGAINST THE NON-DETERMINATION OF A FULL PLANNING APPLICATION
FOR REDEVELOPMENT TO FORM 39 RETIREMENT LIVING APARTMENTS
FOR OLDER PERSONS INCLUDING COMMUNAL FACILITIES, CAR
PARKING AND ASSOCIATED LANDSCAPING**

AT STATION ROAD, GREAT SHELFORD, CB22 5LT

PINS Reference: APP/W0530/W/22/3296300

LPA Reference: 21/05276/FUL

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1.0 Qualifications and Experience

- 1.1 I am Karen Pell-Coggins and I hold a BA (Hons) in Urban Development and an MA in Town Planning. I have been a member of the Royal Town Planning Institute since 2009.
- 1.2 I have approximately 20 years' experience in the practice of town and country planning in local government at South Cambridgeshire District Council. I have worked as an appeals assistant dealing with written representation appeals, a planning officer dealing with smaller applications, a senior planning officer dealing with more complex applications, and a principal planning officer dealing with complex major applications. I have experience of giving expert evidence at planning inquiries and hearings.
- 1.3 My current role is as a Senior Planning Officer in the Council's development control section dealing with a caseload of more complex applications including residential, commercial and education developments. I am the Council's key contact for the Imperial War Museum in Duxford and was previously the Council's case officer for all solar farm applications.
- 1.4 I am familiar with the appeal site and surrounding area. I have been the case officer in relation to this application since it was submitted. I know and understand the planning policies guiding development in the district of South Cambridgeshire.
- 1.5 This proof of evidence should be read together with the proof of Elizabeth Moon on the design of the development and impact upon the character of the area.
- 1.6 The evidence which I have prepared and provide in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2.0 Introduction

- 2.1 This proof of evidence is submitted in support of the Council's putative Reason for Refusal 3 and the planning balance (namely, the overall compliance of the proposal with the development plan).
- 2.2 The appeal was submitted to PINS on 5 April 2022 for non-determination of planning application reference 21/05276/FUL for redevelopment to form 39 retirement living apartments for older persons including communal facilities, car parking and associated landscaping. At that stage, there were a number of matters giving rise to planning harm, on affordable housing and vacant building credit, character and appearance, neighbour amenity, highway safety, water pollution, and developer contributions. These formed the basis of the putative Reasons for Refusal contained in the Council's Statement of Case which was published on 27 May 2022 to comply with PINS' deadlines for the appeal, but before any Report could be taken to Planning Committee.
- 2.3 I subsequently drafted the Officer Report for the Council's Planning Committee meeting on 16 June 2022, to inform the Committee of the position for information. Members were also advised of any updates at the time. Please see **Appendix KPC1** for a copy of the committee report.
- 2.4 Since the Statement of Case was drafted, the main issues have narrowed.
- 2.5 As to putative Reason for Refusal 1 and vacant building credit, the Appellant has submitted further information in the form of an appeal decision for a site in Bury (ref. APP/T4210/W/19/3242597) on 8 June 2022. This has been considered by officers and it is now accepted that all buildings on the site are applicable for vacant building credit. An e-mail was sent to the Appellant confirming the position on 23 June 2022. Please see **Appendix KPC2** for a copy of the appeal decision and correspondence to the Appellant.

- 2.6 As to putative Reason for Refusal 4 and highway safety, following further discussion between the Appellant and the Highway Authority, the Appellant submitted an amended site plan and vehicle tracking plan (drawing numbers 40040GS/PA31 and 536.0040.004) on 22 June 2022 showing a 5 metre wide access. This has been considered by the Local Highways Authority and it has withdrawn its objection to the scheme, subject to conditions. An e-mail was sent to the Appellant confirming the position on 23 June 2022. As a result, it is not anticipated that a round table discussion will be required. Please see **Appendix KPC3** for a copy of the highway drawings, Local Highways Authority comments, and correspondence to the Appellant.
- 2.7 As to putative Reason for Refusal 5 and water pollution, the Appellant submitted a revised drainage plan (drawing number 01-PDL-1001 Rev. D) on 23 May 2022 showing surface water treatment measures. This has been considered by the Lead Local Flood Authority and no objections have been raised subject to conditions. An e-mail was sent to the Appellant confirming the position on 16 June 2022. Please see **Appendix KPC4** for a copy of the revised drainage plan, Lead Local Flood Authority comments, and correspondence to the Appellant.
- 2.8 As to putative Reason for Refusal 6 and developer contributions, the Appellant advised on 17 June 2022 that the contributions with regards to outdoor sport space, allotments and community orchards, burial grounds, and indoor sport have not been agreed. The scope of putative Reason for Refusal 6 to include reference to indoor sport and Policy SC/4 of the Local Plan has been clarified in an email to the Appellant on 20 June 2022. Please see **Appendix KPC5** for a copy of the e-mail from the Appellant and correspondence to the Appellant. At the time of writing, there is no agreement on these issues. The Council has produced a CIL compliance statement and James Fisher, the Council's Section 106 Officer will be attending the round table session on the s.106 Agreement. The Appellant's approach has been to provide for the contributions in issue through 'blue

pencil' clauses, therefore allowing them to be included in the s.106 if the Inspector agrees they are CIL compliant.

- 2.9 Putative Reason for Refusal 3 relates to neighbour amenity and states as follows (emphasis added): -

The proposed development, by reason of the provision of a significant number of habitable rooms in the north and south elevations and lack of separation between the adjacent dwelling to the north and the approved care home to the south, is considered to result in overlooking and a severe loss of privacy to a habitable rooms and a roof terrace which would adversely affect the amenities of (the) neighbours. The proposal is therefore contrary to Policy HQ/1 of the South Cambridgeshire Local Plan 2018 which seeks developments to protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

- 2.10 Following further review, the Council will no longer be pursuing the part of this reason for refusal relating to overlooking to the care home to the south from its balconies (see underlined above). It has been confirmed that the balconies to be provided on the development are Juliet balconies, and so overlooking to the care home is not now considered to be an issue. The Appellants were notified of this by e-mail on 16 June 2022. Please see **Appendix KPC6** for a copy of the correspondence.

- 2.11 Although the issues as set out in the putative Reasons for Refusal have narrowed, there remains fundamental objections to the development under putative Reasons for Refusal 2 and 3. There would be substantial harm on design and impact upon the character of the area and substantial harm to the amenities of the neighbour, either or both of which should lead to refusal.

- 2.12 This proof of evidence will explain the layout of the development and the layout of the adjoining site and demonstrate how the development would adversely affect the amenities of the neighbour at No. 4 Station Road. The proof then goes onto the consider compliance with the Development Plan and the planning balance.
- 2.13 The Council's Statement of Case sets out a description of the site, the planning history, and relevant local development plan policies and supplementary planning documents.

3.0 Putative Reason for Refusal for Refusal 3 - Neighbour Amenity

3.1 The appeal site is located to the south of, and adjacent to, No. 4 Station Road.

3.2 No. 4 Station Road formed part of an application for 12 dwellings approved under application reference S/0291/15/FL. No. 4 itself is a 2-bed house which comprises three floors of accommodation. At the first floor level, there is a habitable room window (serving the dining area) which faces the appeal site. This is the only window directly serving this part of the room. There is also a roof terrace on top of the building. Please see **Appendix KPC7** for a copy of the approved plans.

3.3 The National Design Guide provides helpful guidance on the quality of internal space (paragraph 126):

“The quality of internal space needs careful consideration in higher density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important.”

3.4 In my view, this guidance is relevant to No. 4 Station Road in that it comprises a house which is part of a higher density development. The floor plan for the property indicates that it is relatively small in size, making the outlook from windows and the use of outside areas all the more valuable.

3.5 The appeal scheme would consist of a single building to provide 39 apartments. It would comprise three floors of accommodation and have a number of habitable room windows facing in all directions.

3.6 The District Design Guide Supplementary Planning Document recommends a back-to-back window distance of 25 metres for two storey buildings and 30 metres for three storey buildings. A copy of the relevant paragraphs were submitted with the Statement of Case. The distances

contained in the Design Guide reflect the low density nature of the district and expectation of spaces between buildings.

- 3.7 Assessed against those guidelines, the proposed building would be situated approximately 17 metres from the dwelling at No. 4 Station Road to the north, significantly below the guideline distances, whether based on a 2 or 3 storey building.
- 3.8 At first and second floor level, the bedroom windows to proposed flats 21 and 35 would face north directly towards the first floor dining area window in the south elevation of No. 4 Station Road. Whilst it is acknowledged that there is a window serving the lounge area of this room in the east elevation of the dwelling, the dining area window is still considered a primary window as it serves a different part of the room which is habitable. In addition to the direct facing bedroom windows of flats 21 and 35, the living room full length glazed doors serving the Juliet balconies to flats 21 and 35, and the living room windows to flats 22 and 36, have an oblique view facing towards this property.
- 3.9 As mentioned above, the separation distance of 17 metres between the windows would fall considerably short of the recommended 25 metres back-to-back distance for 2-storey buildings and 30 metres back to back distance for 3- storey buildings set out in the District Design Guide. Although it is noted that the relationship is side-to-side and that the distances in the Design Guide are guidelines, they provide a good indicator of what would be considered an acceptable relationship between properties in the district. Whilst a distance of a few metres below may be acceptable, a distance of 17 metres is considered to result in unacceptable overlooking, and in my view the separation distance is not acceptable. As for additional windows and doors at an oblique angle referred to above, I consider these would give the perception of overlooking, adding to the harm.
- 3.10 The separation distance of 17 metres between the windows and the edge of the roof terrace is also unacceptable in terms of overlooking. Even

though there is a height difference, there would be harm caused by overlooking between the second floor bedroom windows of proposed flats 21 and 35, and the roof terrace of No. 4 Station Road.

- 3.11 No representation has been received from the occupiers of No. 4 Station Road in objection to the application. However, the relationship between properties is a proper material planning consideration that needs to be taken into account to ensure an acceptable form of development, especially given that occupiers can change.
- 3.12 For the above reasons, the development is considered to result in overlooking which would lead to a severe loss of privacy to the dwelling at No. 4 Station Road.
- 3.13 The proposal is therefore contrary to Policy HQ/1 n of the South Cambridgeshire Local Plan 2018 which states proposal must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

4.0 Overall Compliance with the South Cambridgeshire Local Plan 2018

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 4.2 Paragraph 12 of the National Planning Policy Framework advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.
- 4.3 The Council's housing requirements from 2011 to 2031 are set out under Policy S/5 of the Local Plan in relation to the provision of new jobs and homes. They are as follows:-
- a. 22,000 additional jobs to support the Cambridge Cluster and provide a diverse range of local jobs;
 - b. 19,500 new homes, including affordable housing.
- 4.4 The Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report (1 April 2022) concludes that we jointly have 6.5 years of housing land supply for the 2022-2027 five-year period. This conclusion is based on our five-year housing land supply being calculated jointly between South Cambridgeshire and Cambridge City, using the Liverpool methodology, and applying a 5% buffer. Please see **Appendix KPC8** for a copy of the report.
- 4.5 The Housing Delivery Test result for South Cambridgeshire for 2020 was 175%. Please see **Appendix KPC9** for a copy of the results.
- 4.6 Given that the Council has a 5 year supply of housing and has met the requirements of the Housing Delivery Test, the policies in the development

plan are not considered out of date. The tilted balance in paragraph 11d of the National Planning Policy Framework is not therefore engaged.

- 4.7 The putative Reasons for Refusal on character and appearance, neighbour amenity, and developer contributions (if not secured by a Section 106 agreement) show that the proposal is considered to be contrary to a significant number of policies in the Local Plan, and is contrary to the National Planning Policy Framework as a material consideration.
- 4.8 As to character and appearance, I have read and rely upon the evidence of Elizabeth Moon. The development would fail to comply with Policies S/7, H/8 and HQ/1 a, c, d, e, h and m of the Local Plan in relation to the poor quality design and the harmful impact of the development upon the character and appearance of the area as set out in putative Reason for Refusal 2.
- 4.9 As to neighbour amenity, I rely upon my own evidence. The development would fail to comply with Policy HQ/1 n of the Local Plan in relation to the harmful impact of the development upon the amenities of neighbours as set out in putative Reason for Refusal 3.
- 4.10 As to developer contributions, I have read and rely upon the position reflected in the Council's CIL Compliance statement drafted by James Fisher. If the contributions sought by the Council are not included in the s.106 Agreement, the development will fail to bring forward a sustainable form of development, contrary to Policies SC/4, SC/7 and TI/8 of the Local Plan in that developer contributions required to make the development acceptable in planning terms would not be secured as set out in putative Reason for Refusal 6 (as amended).

5.0 Planning Balance

5.1 It is acknowledged that the development will provide the following benefits:-

- i) Reuse of a brownfield site;
 - ii) Provision of 39 elderly persons dwellings;
 - iii) Sustainable location in the village with easy accessibility to services;
 - iv) A contribution towards affordable housing;
 - v) The provision of jobs during construction, repairs and renovation, management and care, and on the High Street;
 - vi) Fiscal savings to the NHS and social care services;
 - vii) Expenditure on local services;
 - viii) The release of housing back into the open housing market;
 - ix) Care and security for residents and communal facilities to ensure social inclusion.
- vii) The use of renewable energy features and low energy fixtures and fittings.

5.2 The reuse of a brownfield site would comply with the environmental objective of sustainable development in terms of the making the effective use of land. Substantial weight is attached to this benefit as it would make the best use of the site.

5.3 The provision of elderly persons accommodation with care and communal facilities for residents in a sustainable location would comply with the social objective of sustainable development in terms of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations and providing accessible services that reflect current and future needs and support communities' health, social and cultural well-being. Significant weight is attached to these benefits because of the rapidly ageing population in the district and need for this specialist type of housing in a location close to services and facilities.

5.4 The provision of a commuted sum towards affordable housing off-site would comply with the social objective of sustainable development in terms

of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Significant weight is attached to this benefit because of the substantial need for affordable housing in the district.

- 5.5 The provision of jobs during construction, repairs and renovation, management and care, and on the High Street; fiscal savings to the NHS and social care services; and expenditure on local services would comply with the economic objective of sustainable development in terms of ensuring that sufficient land of the right type is available in the right places and at the right time to support growth. Moderate weight is attached to these benefits as the majority of jobs would be for a temporary period, the savings for the NHS would be likely to be limited to more minor issues (not involving visits to e.g. hospitals), and any residential development of the site would be likely to generate expenditure on local services.
- 5.6 The release of housing back into the open housing market would comply with the social objective of sustainable development in terms of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Moderate weight is attached to this benefit because any residential development of the site would release housing back into the open market.
- 5.7 The use of renewable energy features and low energy fixtures and fittings would comply with the environmental objective of sustainable development in terms of mitigating and adapting to climate change, including moving to a low carbon economy. Moderate weight is attached to this benefit because these would be required of any such scheme.
- 5.8 However, the development would also result in the following harm: -
- i) High density leading to a poor quality design and living environment which would have a harmful impact upon the character and appearance of the area;

ii) Overlooking leading to a severe loss of privacy to the neighbour at No. 4 Station Road.

These harms are both afforded substantial weight.

5.9 The poor quality design of the development and impact on the street scene forming part of the character of the area would fail to comply with the social and environmental objectives of sustainable development in terms of fostering well-designed, beautiful and safe places and protecting and enhancing our natural, built and historic environment. The scheme would also result in a poor quality living environment for its residents. Substantial weight is attached to these harms as the development would be detrimental to the character of Great Shelford and fail to achieve a high quality scheme.

5.10 The overlooking to the neighbour at No. 4 Station Road would fail to comply with the social objective of sustainable development in terms of supporting healthy communities. It would not foster a well-designed, beautiful and safe place. The scheme would unacceptably affect the amenity of an adjacent user. Substantial weight is attached to this harm as would not result in an acceptable relationship between dwellings.

5.11 The NPPF identifies good design as a key aspect of sustainable development, in order to create better places in which to live and work and help make development acceptable to communities (para. 126).

5.12 It advises that decisions should ensure that developments will (para. 130):

- a) function well and add to the overall quality of the area;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.13 It further states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (para. 134).

5.14 In my view, the appeal scheme fails to comply with national and local policies on design, which properly seek high quality, sustainable schemes, which create better places in which to live and work.

5.14 In conclusion, there is overall conflict with the statutory Development Plan, and the scheme also conflicts with the NPPF. There are no other material considerations which indicate that permission should be granted. Properly considered, in my view the harms identified on design and neighbouring amenity would significantly and demonstrably outweigh the benefits, whether taken on their own, or together. The proposal would not therefore be defined as sustainable development and permission should be refused.

6.0 Conclusion

- 6.1 The proposal would fail to comply with a number of policies in the development plan and material considerations are not considered to justify that the development should be granted planning permission.
- 6.2 The Inspector is accordingly requested to dismiss the appeal.
- 6.3 Should the Inspector be minded to allow the appeal, a list of conditions was sent with the Statement of Case.

7.0 Summary and Conclusions

- 7.1 I am Karen Pell-Coggins. I hold a MA in Town Planning and have been a member of the Royal Town Planning Institute since 2009. I have approximately 20 years' experience in the practice of town and country planning in local government at South Cambridgeshire District Council.
- 7.2 My proof of evidence sets out the Local Planning Authority's case in support of the Council's putative Reason for Refusal 3 with regards to the impact of the development upon neighbour amenity and the planning balance (namely, the overall compliance of the proposal with the development plan).
- 7.3 The application and the putative Reasons for Refusal was reported to the planning committee meeting on 16 June 2022 for information.
- 7.4 Putative Reason for Refusal 3 in relation to neighbour amenity has been amended to remove reference to overlooking to the care home.
- 7.5 In the course of the appeal, further information in the form of an appeal decision in relation to vacant building credit, a revised site plan showing a 5 metre wide access, and a revised drainage plan showing surface water treatment measures has been submitted by the Appellant in relation to putative Reasons for Refusal 1, 4 and 5. The relevant parties have been consulted on the plans and have raised no objections. These reasons will no longer be pursued at the appeal.
- 7.6 In addition, a draft Section 106 agreement has been submitted in relation to Reason for Refusal 6 with regards to developer contributions. All contributions required to make the development acceptable in planning terms (as set out in the CIL compliance statement of James Fisher) have been included but are not currently agreed by both parties. However, a blue line clause has been added to the Section 106 to allow the Inspector to make the final decision.

7.7 As a result of the above, the main issues to be considered at the appeal have been narrowed to putative Reasons for Refusal 2 (as set out in the evidence of Elizabeth Moon) and putative Reason for Refusal 3 (as set out in my evidence). These remain fundamental objections to the development and would result in substantial harm on design and impact upon the character of the area and substantial harm to the amenities of the neighbour, either or both of which should lead to refusal.

Putative Reason for Refusal 3 – Neighbour Amenity

7.8 There would be a separation distance of approximately 17 metres between first and second floor bedroom windows to flats 21 and 35 in the north elevation of the development and the first floor window serving a dining area and roof terrace on top of the building to the neighbour at No. 4 Station Road. The windows would face directly towards this property and result in severe overlooking and an unacceptable relationship between properties.

7.9 This separation distance is not acceptable because it would be significantly below the advice set out in the District Design Guide Supplementary Planning Document for the district which requires a back-to-back distance of 25 metres between 2 storey buildings and 30 metres between 3 storey buildings which is indicative of a satisfactory relationship in the district.

7.10 In addition, there would be additional windows and doors at first and second floor levels in the north elevation of the development which would have an oblique view towards the neighbour. These would give the perception of overlooking, adding to the harm.

7.11 The development is considered to result in overlooking which would lead to a severe loss of privacy to the dwelling at No. 4 Station Road and would be contrary to Policy HQ/1 n of the South Cambridgeshire Local Plan 2018

which states proposal must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

Compliance with Development Plan

- 7.12 Putative Reasons for Refusal 2 on character and appearance, 3 on neighbour amenity, and 6 on developer contributions (if not secured by a Section 106 agreement) show that the proposal is considered to be contrary to a significant number of policies in the Local Plan, and is contrary to the National Planning Policy Framework as a material consideration.
- 7.13 The poor quality design and the harmful impact of the development upon the character and appearance of the area as set out in putative Reason for Refusal 2 and the evidence of Elizabeth Moon would fail to comply with Policies S/7, H/8 and HQ/1 a, c, d, e, h and m of the Local Plan.
- 7.14 The harmful impact of the development upon the amenities of neighbours as set out in putative Reason for Refusal 3 and my evidence above would fail to comply with Policy HQ/1 n of the Local Plan.
- 7.15 If the developer contributions required to make the development acceptable in planning terms would not be secured as set out in as set out in putative Reason for Refusal 6 and the CIL Compliance Statement of James Fisher, the development would be contrary to Policies SC/4, SC/7 and TI/8 of the Local Plan.

Planning Balance

- 7.16 It is acknowledged that the development will provide the following benefits (with the amount of weight attached):-
- i) Reuse of a brownfield site (substantial weight);

- ii) Provision of 39 elderly persons dwellings (significant weight) ;
- iii) Sustainable location in the village with easy accessibility to services (significant weight);
- iv) A contribution towards affordable housing (significant weight);
- v) The provision of jobs during construction, repairs and renovation, management and care, and on the High Street (moderate weight);
- vi) Fiscal savings to the NHS and social care services;
- vii) Expenditure on local services (moderate weight);
- viii) The release of housing back into the open housing market (moderate weight);
- ix) Care and security for residents and communal facilities to ensure social inclusion (significant weight).
- vii) The use of renewable energy features and low energy fixtures and fittings (moderate weight).

7.17 However, the development would result in the following harm (with the amount of weight attached): -

- i) High density leading to a poor quality design and living environment which would have a harmful impact upon the character and appearance of the area (substantial weight)
- ii) Overlooking leading to a severe loss of privacy to the neighbour at No. 4 Station Road (substantial weight).

7.18 The NPPF identifies good design as a key aspect of sustainable development, in order to create better places in which to live and work and help make development acceptable to communities (para. 126).

7.19 It further states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (para. 134).

7.20 In my view, the appeal scheme fails to comply with national and local policies on design, which properly seek high quality, sustainable schemes, which create better places in which to live and work.

Conclusion

- 7.21 In conclusion, there is overall conflict with the statutory Development Plan, and the scheme also conflicts with the NPPF. There are no other material considerations which indicate that permission should be granted. Properly considered, in my view the harms identified on design and neighbouring amenity would significantly and demonstrably outweigh the benefits, whether taken on their own, or together. The proposal would not therefore be defined as sustainable development and permission should be refused.
- 7.22 The Inspector is therefore requested to dismiss the appeal.

7.0 List of Appendices

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