



Appeal Decision

Hearing (Virtual) held on 8 November 2022

Site visit made on 7 November 2022

by D Wallis MRTPI, BSc (Hons), PGDip (Environmental Planning)

an Inspector appointed by the Secretary of State

Decision date: 21 November 2022

Appeal Ref: APP/W0530/W/22/3302832

Land at Olmstead Green, Castle Camps, Cambridge, Easting: 562858, Northing: 241302

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Pedwall Consultancy against the decision of South Cambridgeshire District Council.
 - The application Ref 21/03475/FUL, dated 27 July 2021, was refused by notice dated 12 January 2022.
 - The development proposed is Erection of a new dwelling of exceptional quality and innovative nature of design and landscape enhancements.
-

Decision

1. The appeal is allowed and planning permission is granted for Erection of a new dwelling of exceptional quality and innovative nature of design and landscape enhancements at Land at Olmstead Green, Castle Camps, Cambridge, in accordance with the terms of the application, Ref 21/03475/FUL, dated 27 July 2021, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. I undertook an unaccompanied site visit on 7 November 2022, the day prior to the opening of the virtual hearing. The main parties confirmed that no further visit was required.

Main Issue

3. The main issue for the appeal is whether or not the proposal is of an exceptional design quality to justify a dwelling in this location.

Reasons

4. The appeal site is in a remote rural location to the north of the hamlet of Olmstead Green. It consists of an access track formed with concrete slabs, lined with trees and hedgerows on both sides. Running within the vehicular access to the site is a public footpath, which follows a broadly west to east alignment before linking to a wider path network through the countryside. At the site's eastern end, the land has a wider profile and hedge cover reduces, revealing a wooden post and rail fence.
5. The appeal proposal is for a single detached three-bedroom dwelling, constructed with accommodation laid out over multiple levels, accessed by

stairs and a central lift shaft. The dwelling would be designed in the shape and style of an aircraft fuselage, specifically the 'Mosquito', which was a prominent plane in World War II. The dwelling would sit within the access track, close to the full width of the track in some instances, with parking and a turntable to the west and a private garden to the east.

6. It is common ground that the appeal site is in a location where dwellings would not normally be permitted. The appellant seeks permission under paragraph 80(e) of the National Planning Policy Framework (the Framework) on the basis that this isolated home would be truly outstanding, raise standards of design in the rural area and significantly enhance its immediate setting. These criteria are also embodied in policy H/15 of the adopted South Cambridgeshire Local Plan 2018 (SCLP), with policy HQ/1 providing general design principles to which new development should follow.
7. The appellant engaged an independent design review panel (DRP) on three occasions to inform and guide the design. The appellant explained that the Mosquito was a plane made from wood and plywood, with the fuselage constructed in two separate parts that were subsequently sealed together. This has formed the inspiration behind the design that sees the two 'halves' of the fuselage laid adjacent to each other and staggered to display the internal 'ribs' of the aeroplane. The Mosquito aircraft has particular local importance, having flown from the former nearby airfield at Castle Camps, and support from third parties received at appeal confirm its significance. The DRP¹ concludes the scheme would be of the highest architectural standards, representing a truly outstanding design and the local parish council are in support.
8. The Council have raised concern that their own design enabling panel (DEP), with greater local knowledge, was not used by the appellant. However, I note that the Council did not, in response to the application being received, conduct its own consultation with the DEP. I also consider that there was sufficient understanding of the appeal site's characteristics and context in the appellant's suite of the consultation documents for the DRP to be briefed about the local area and its history.
9. Regardless of whether using a national DRP or the local DEP, paragraph 133 of the Framework states local planning authorities should have regard to the outcomes and recommendations of a DRP. Whilst weight to be given to such recommendations is for the decision-maker to apportion, the Council's case provides no rebuttal directly against the listed DRP recommendations and conclusions. I give greater weight to the DRP findings as a result.
10. The appeal proposal would be targeted at a business executive demographic, although I note that neither SCLP policy H/15 nor the Framework require an end user to have been specifically identified. The dwelling would have a lift providing access to all levels and its internal spaces could be redefined in the future by moving partition walls. Whilst parking requires a turntable so that cars can enter and leave the appeal site in forward gear, the parking would be close to the dwelling's entrance. I acknowledge that the end user may change over time, but I have not been presented with any compelling evidence to suggest that the Lifetime Homes standards have not been fulfilled.

¹ In the third response of April 2021

11. Light would be restricted to a single window for the room on floor level 5, marked as a bedroom/ office. However, all other rooms appear to have reasonable opportunity to maximise light and solar gain. I acknowledge that prospective residents may put pressure on local landscape features to enable light to some windows, but the level of conflict would be minimised through the nature of the designed elevations. Beyond the appeal site boundary, neither the appellant, Council nor prospective occupier has any control over trees and landscape features, which, in the absence of information to the contrary, I must consider would remain in situ. I note there are no objections from the Council's tree officer, nor any actions reported seeking to preserve any trees in the vicinity.
12. From my site visit, I consider that the appeal site would not be in an exposed location, being set within a sloping topography with the highest land being to the north. From the higher ground, the proposed dwelling would be seen against a backdrop and foreground of trees and hedgerows, including three prominent poplar trees proposed to be retained. Although foliage had not fallen fully at the time of my visit, views to the appeal site from the public roads were highly obscured. Further landscaping and biodiversity enhancement would be planted, as shown within plans 5.1.1 and 5.1.3 in the 'Mossie Planning Document.' Parts of the dwelling would be visible from local footpaths, though the unique design and facades would provide an element of intrigue to the landscape, rather than visually detract from it.
13. Whilst the dwelling would be an urban intervention in contrast to the rural countryside setting, the design rationale behind the proposal has been executed well, and the concept would be a unique representation of local military history. It would create a sense of place and its architectural quality would raise design standards in the rural context. I acknowledge the appeal site itself is narrow in width, but I do not consider the proposal to be cramped or contrived, representing instead an innovative way to maximise the potential of the land. Equally, whilst the dwelling would have a presence within the landscape, I do not consider that the scale or mass of the dwelling would be excessive, given the rather modest footprint proposed.
14. I observe that all written correspondence from the Council verifies that the Mosquito aircraft concept is a valid design driver and has merit. The use of copper in the construction, whilst not true to the build of the Mosquito, would have evidential benefits in terms of stability and longevity, and I do not find this element offensive. The materials and colours adopted by the appellant would make the dwelling stand apart as a local landmark, though respectful of the Royal Air Force colour palette. The Council point to a lack of construction information, including how the walls and floors fit together, but this does not materially affect the outward architectural quality. I am confident that the appeal dwelling, whilst not pitched as being an eco-house, would be of a sustainable and energy efficient construction.
15. The erection of an information board would assist with understanding of the design as well as appreciating the context of the local area. Whilst unusual for a private residence to have such a feature, I do not find this objectionable and note the encouragement for this from the DRP, disseminating information for the benefit of future generations.

16. The Council cite SCLP policy H/15 in stating the proposed dwelling is not innovative in terms of design or energy efficiency. I note however that policy H/15 requires a dwelling to be recognised as truly outstanding *or* innovative (my emphasis). I am also aware that, unlike previous iterations of the Framework, the 2021 publication in paragraph 80(e) no longer contains a requirement for a dwelling to be innovative. Taking all this into account, I do not consider the appeal development conflicts with the policy position, being a dwelling reflecting the highest standards in architecture.
17. On this basis I consider the appeal dwelling to be of an exceptional design quality justifying its location in the rural area. The proposal would therefore comply with policies H/15 and HQ/1 of the SCLP, which seek to secure high quality design. The proposal would also be within the spirit of paragraph 80(e) of the Framework, being of a high standard of architecture and enhancing the immediate setting, sensitive to the local area's history. In doing so, the proposal does not conflict with the objectives of SCLP policies S/2, S/7 and NH/2 that seek to deliver developments of high design in appropriate locations.

Conditions

18. I have imposed conditions 1 and 2 for certainty as to the development hereby permitted, incorporating within condition 2 the landscape masterplan drawings from the relevant planning document. In comparison to the condition proposed by the Council, I have chosen to label all the plans by name rather than just by number to allow clarity as to the nature of the development.
19. Conditions 3, 8, 9 and 10 are necessary and reasonable to reinforce the sustainable design credentials of the proposal and promote sustainable transport. Although materials are covered to a degree within the planning submission, I consider it appropriate for samples to be provided under condition 4.
20. I impose conditions 5 and 11 in the interests of public safety both on and off the highway by preventing surface water run-off and debris being carried onto local roads.
21. Notwithstanding the landscape and biodiversity proposals submitted with the appeal, I consider condition 6 is necessary to ensure appropriate landscape details are implemented and maintained thereafter.
22. Conditions 7 and 14 are essential in this rural area to protect and enhance biodiversity on and off the appeal site. In the interests of protecting the living conditions of future occupiers, given the appeal site formed part of an historic airfield, it is necessary to impose condition 12 in relation to contamination remediation.
23. The National Planning Practice Guidance advises caution when considering conditions removing permitted development rights. I do however consider it necessary for this particular development, despite the limited opportunities to expand the proposed dwelling, to remove such rights via condition 13 to preserve the high architectural quality of the proposed dwelling.
24. Following the recommendations of the DRP and acceptance of the public benefit by both the main parties, I consider it reasonable to impose condition 15 regarding an information board. This would also assist in the case for raising design standards in the rural area and locally.

25. The Council requested a condition regarding construction details of key elements to be submitted for approval. When queried, the Council identified that 1:50 scale drawings of where walls join floors and cross sections would be required. I do not consider it necessary to require such details to be provided to make the development acceptable in planning terms, since I have already determined the proposal to be of a high architectural quality.

Conclusion

26. For the reasons given I conclude that the appeal should succeed.

David Wallis

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans dated 28 July 2021, as being:
Site Location Plan 1.3, Site Location Plan 1.4, Topographical Site Survey 2.4.3, Site Layout Plan with View Markers 5.2.1, Proposed Plan Level 01 5.3.1, Proposed Floor Plan – Level 02 5.3.2, Proposed Floor Plan – Level 03 5.3.3, Proposed Floor Plan – Level 04 5.3.4, Proposed Floor Plan – Level 05 5.3.5, Proposed Roof Terrace Plan – Level 06 5.3.6, Proposed Roof Plan – Level 07 5.3.7, Proposed South Elevations 5.4.1, Proposed North Elevations 5.4.2, Proposed East and West Elevations 5.4.3, Proposed South Sections 5.4.4, together with the Proposed Landscape Masterplans 5.1.1 and 5.1.3 contained within 'Mossie Planning Document.'
- 3) No development shall take place above ground level until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented and retained thereafter in accordance with the approved details.
- 4) No development shall take place above ground level, other than demolition, until samples of the materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 5) No development shall take place above ground level, other than demolition, until a scheme for the provision and implementation of both surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development and retained as such thereafter.
- 6) No development shall take place above ground level, other than demolition, until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units, CCTV installations and water features); proposed (these need to be coordinated

with the landscape plans prior to be being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant.

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate and an implementation programme.

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

- 7) Prior to the occupation of the dwelling hereby permitted, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) Identify those areas/ features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 8) Prior to the occupation of the dwelling hereby permitted, details of facilities for the covered, secure parking of cycles and refuse for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The parking shall be provided in accordance with the approved details and shall be retained as such thereafter.
- 9) The dwelling shall not be occupied until a water efficiency specification based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2022 has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard

- of water use of no more than 110 litres/person/day. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 10) Prior to the occupation of the dwelling hereby permitted, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling and retained as such thereafter.
 - 11) Prior to the occupation of the dwelling hereby permitted, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification and retained as such thereafter. The driveway shall be constructed with a bound material for the first five metres in a way that its falls and levels are such that no private water or debris from the site drains across or onto the adopted public highway. Once constructed, the access shall be retained as such thereafter.
 - 12) If, during construction of the development, contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved details.
 - 13) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), extensions, roof additions or alterations shall not be allowed without the granting of specific planning permission.
 - 14) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (MKA Ecology, December 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
 - 15) Prior to the occupation of the dwelling hereby permitted, details showing the location and orientation of an information board shall be submitted to and approved in writing by the local planning authority. The details shall include the materials and finishes to be used for the information board together with the information to be displayed. The information board shall be erected on site within 6 months following occupation of the dwelling and shall be maintained thereafter.

APPEARANCES

FOR THE APPELLANT:

Caron Greene	Axiom Planning
Daniel Gender-Sherry	Axiom Planning
Charles Raven	Axiom Planning
Michael Young	Squires Young Landscape Architecture
Richard Hawkes	Hawkes Architecture Limited
David Norman	Hawkes Architecture Limited
James Williams	Hawkes Architecture Limited

FOR THE LOCAL PLANNING AUTHORITY:

Michael Hammond	South Cambridgeshire District Council
Dr Bonnie Kwok	South Cambridgeshire District Council