Planning Inspectorate

Appeal Decision

Site visit made on 9 March 2026

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 19 May 2026

Appeal Ref: 6002076
The Plough, Milk and Water Drove, Farcet, Cambridgeshire PE7 3DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Colin Harrison against the decision of Huntingdonshire District Council.
- The application Ref is 25/00806/FUL.
- The development proposed is erection of 1 new self build custom dwelling with car port on site of old public house.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - whether the proposal would be suitably located having regard to the spatial strategy and the principles of sustainable development set out in the National Planning Policy Framework (the Framework);
   - whether the proposal would accord with national planning policy with regard to flood risk;
   - the effect of the proposal on the character and appearance of the area; and
   - whether the proposal includes appropriate waste storage.

Reasons

Location of development

3. Policy LP2 of Huntingdonshire's Local Plan to 2036, May 2019 (LP) outlines the spatial strategy for the area. Housing is directed toward four spatial planning areas and seven key service centres. The appeal site is located outside of these designations. As such, the appeal site is considered to be in 'the countryside.'

4. LP Policy LP2 also explains that small and windfall development will be permitted on sites which are in conformity with other policies of the plan. Likewise, LP Policy LP10 states that development in the countryside will be restricted to the specific opportunities as provided for in other policies of the plan. LP policies LP19, LP22, LP23, LP28, LP33, and LP38, all support development in the countryside. The Council contend that the proposal would not be supported by these policies. This is not disputed by the appellant. Accordingly, the proposal is contrary to the spatial strategy set out within the local development plan.

5. The Framework identifies that planning decisions should recognise that sites to meet community needs in rural areas may be beyond existing settlements and in

locations that are not well served by public transport. The Framework sets out in these scenarios the use of previously developed land should be encouraged. It also highlights that planning decisions should promote an effective use of land in meeting the need for homes. Moreover, the Framework states that planning decisions should give substantial weight to the value of using suitable brownfield land for homes, but within settlements.

6. Notwithstanding this, the Framework indicates that transport issues should be considered from the earliest stages of development proposals. It explains that this should involve identifying opportunities to promote walking, cycling, and public transport. Further to this, the Framework explains that it should be ensured that sustainable transport modes are prioritised.

7. The appeal site is previously developed land, as defined by the Framework. The proposal would make an effective use of this land and would assist with the need for homes in Huntingdonshire. However, the appeal site is far removed from the nearest settlement, Farcet. Consequently, the appeal site is not in proximity to the services and facilities necessary to support the everyday needs of future occupiers.

8. Future occupiers would have to travel along Ramsey Road to access Farcet. This section of the road is subject to a 50mph speed limit and does not have a footpath or street lighting. The walk to Farcet would not be pleasant, and at night or during inclement weather it would be unsafe. Furthermore, the appeal site is not in proximity to any public transport. As such, future occupiers would be reliant on the use of private motor vehicles to access services and facilities. Taking all of the above into account, I consider that despite being previously developed land, the proposal would be contrary to the principles of sustainable development as set out in the Framework, when read as a whole.

9. The appellant's agent has indicated that the proposal would not introduce a residential use on the wider site. I am unaware of any lawful residential use which is within the appeal site or on the wider parcel of land owned by the appellant. Regardless, the presence of nearby residential uses does not alter my assessment that residential development would be unsuitable at the appeal site.

10. I acknowledge that the appellant wishes to construct a self-build dwelling and they own this piece of land. However, this would not be a reason to support a development which is contrary to the local spatial strategy and the principles of sustainable development set out in the Framework.

11. Overall, I conclude that the proposal would not be suitably located having regard to the spatial strategy and the principles of sustainable development set out in the Framework. The proposal would be contrary to LP policies LP2 and LP10, for the reasons set out above.

Flood risk

12. The proposed development comprises of the construction of a dwelling on the footprint of a demolished public house. It includes the construction of a new building and is therefore not just a change of use. Moreover, the use of the site for residential purposes could make it more vulnerable to flooding than a public house, where people may not reside on site. As such, a sequential test would be

required to steer new development to areas within the lowest risk of flooding from any source.

13. The Framework sets out a pragmatic approach whereby a sequential test would not be required where a site-specific flood risk assessment demonstrates that no built development would be located on an area that would be at risk of flooding, now and in the future. The entire site is within Flood Zone 3. If flood defences were to fail, the site would be at risk of flooding. This is regardless of any emergency plans that would be enacted in this scenario. As such, the proposed development would be located in an area that is at risk of flooding now. Consequently, a sequential test is required.

14. The appellant's agent contends that the dwelling is required to meet a specific self-build objective on land already owned by the appellant. Planning Practice Guidance[1] advises that alternative lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available.' As there is no evidence of alternative sites before me, I cannot conclude that there are no reasonably available sites within an area at a lower risk of flooding.

15. The Framework specifies that the exception test may have to be applied when it is not possible for development to be located in areas with a lower risk of flooding. After applying the sequential test, I cannot conclude this. Therefore, the exception test does not have to be applied in this instance.

16. I note that the proposed development would be sited on the existing hardstanding, which remains following the demolition of the public house. The proposal would also reduce the built footprint and increase permeable areas across the site. I acknowledge that the submitted Flood Risk Assessment indicates that the development would not be at risk from flooding for the lifetime of the development. Nevertheless, the proposal would not conform with national planning policy with regard to flood risk as it has not passed a sequential test.

17. Considering the above, I conclude that the proposal would not accord with national planning policy with regard to flood risk. It would also be contrary to LP Policy LP5 which indicates that a proposal will only be supported where all forms of flood risk, including breaches or failures of flood defences, have been addressed such that a sequential test has been applied and passed.

Character and appearance

18. The appeal site is located in an area of open countryside. There are long distance views across fairly flat and largely undeveloped land. Development in the area is often found in small clusters fronting onto a road. Most nearby buildings are utilitarian in appearance and there is no consistency to their design. Combined these features create a rural character.

19. As buildings in the area are not uniform in design, a bespoke design for the proposed dwelling is acceptable in principle. However, the front elevation facing Milk and Water Drove would be tall and blank. It would result in the proposed dwelling appearing to face away from the road, unlike other dwellings in the area. As such, it would appear incongruous. I accept that an improved hedgerow to the front of the site would partially screen the proposed dwelling, but it would not fully

[1] Planning Practice Guidance, Flood Risk and Coastal Change, Paragraph: 028, Reference ID: 7-028-20220825

mitigate the harm caused by the large blank elevation which would appear above it. This design would also be contrary to the Huntingdonshire Design Guide where it advises that building fronts should face the street to create activity.

20. I note that the southern gable has been left intentionally blank to improve the energy performance of the building and to provide privacy. Nevertheless, an alternative design which does not include a large blank elevation to the front of the building could achieve similar outcomes.

21. The proposed development also includes a four bay car port. As the appeal site is of a moderate size, the proposed car port would not appear cramped or as an overdevelopment of the plot. Nonetheless, the proposed car port would not be of a scale appropriate to the size of the house. Accordingly, it would appear as a prominent feature within the street scene and would have a harmfully urbanising effect on the rural character of the area.

22. There would be some benefit to the appearance of the area if the existing site were redeveloped. However, it has not been demonstrated that the existing use of the site is lawful. Therefore, the Council could take enforcement action. As such, very little weight is ascribed to this as a benefit.

23. On balance, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The proposal would be contrary to LP policies LP10, LP11, and LP12 where they indicate that all development in the countryside must recognise the intrinsic character of the countryside, amongst other matters.

Waste storage

24. I acknowledge that the wider site is already assessed for council tax and receives domestic waste collections. I also note that wheeled bins are present on site and in use. Also, the proposal may not initially generate a net increase in demand for waste infrastructure, but this could not be guaranteed in perpetuity. As set out above, there is no lawful residential use of the appeal site. As such, the proposal would result in new housing. As per Part H of the Developer Contributions SPD[2], this will trigger the need for the provision of waste storage containers.

25. To secure the provision of additional waste storage containers the appellant would need to enter into a planning obligation. There is no obligation before me. Therefore, I conclude that the proposal would not include appropriate waste storage. The proposal would be contrary to LP Policy LP4, where it indicates that contributions towards the provision of infrastructure may be necessary.

Planning Balance

26. Set against the identified harm would be benefits associated with the proposal. This includes the provision of a dwelling which would make an effective use of under-utilised, brownfield land and include water saving measures. The proposal would also result in a biodiversity net gain, and improved surface water management across the site. Moreover, there would be economic benefits associated with the construction period and through an increased local population. Given the scale of the proposed development, I ascribe moderate weight to these benefits.

[2] Local Development Framework, Developer Contributions SPD, December 2011

27. In addition, the proposal includes the provision of a self-build dwelling. I do not doubt the appellant's intention to occupy the proposed dwelling. However, there is no mechanism before me to ensure that the proposed dwelling complies with the definition of self-build and custom housebuilding as set out in the Self-build and Custom Housebuilding Act 2015. Furthermore, the Council has granted enough development permissions to meet demand for self-build and custom housebuilding in Huntingdonshire. With this in mind, I ascribe very limited weight to this as an additional benefit.

28. As there are no policies in the LP which positively favour development of this kind in this location and as the proposal would be contrary to the policies identified above, there would be conflict with the development plan as a whole.

29. The Council cannot demonstrate a five year supply of deliverable housing land. In these circumstances footnote 8 of the Framework establishes that the policies which are most important for determining the application are out-of-date. In accordance with paragraph 11(d)(i) of the Framework, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.

30. Footnote 7 of the Framework identifies the areas and assets of particular importance; this includes areas at risk of flooding. For the reasons set out above, policies in the Framework with regard to flood risk provide a strong reason for refusing the development proposed.

Public Sector Equality Duty (PSED)

31. Based on the information provided during the planning application, the protected characteristics of age and/or disability may be relevant to the proposed occupiers of the proposed dwelling. Therefore, I have had due regard to the PSED as set out within the Equality Act 2010.

32. I have found that the proposal is not suitably located, would be in a high flood risk area, would be harmful to the character and appearance of the area, and would not include appropriate waste storage. I ascribe substantial weight to these harms. In favour of the proposal is the benefits outlined above, and that the proposed dwelling would provide accommodation for someone who may be old and/or disabled.

33. However, the fact that a person who is old and/or disabled may occupy the proposed dwelling, reinforces my concerns that the site would not be located in an accessible area and is within an area of high flood risk. Taking this into account, the harm caused by the proposal outweighs its benefits in terms of eliminating discrimination against persons with the protected characteristics of age and/or disability, advancing equality of opportunity for them, and fostering good relations between them and others. I conclude its proportionate and necessary to dismiss the appeal.

Conclusion

34. The proposal conflicts with the development plan, when read as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR