

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (INQUIRY PROCEDURE) (ENGLAND) RULES 2000**

**PROOF OF EVIDENCE OF  
ELISABETH GLOVER MRTPI  
SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
  
PLANNING**

**APPEAL BY CASSEL HOTELS (CAMBRIDGE)  
LTD**

**FORMER HOTEL FELIX, WHITEHOUSE LANE, GIRTON**

**JANUARY 2023**

**PLANNING INSPECTORATE REFERENCE: APP/W0530/W/22/3307903**

**LPA REFERENCE: 21/00953/FUL**

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## **1.0 QUALIFICATIONS AND EXPERIENCE**

- 1.1 My name is Elisabeth Glover and I hold a BA (Hons) in Urban Studies and Planning and an MPLAN in Urban Studies and Planning from the University of Sheffield (2011). I have over 10 years' experience in Development Management and advising on planning applications and have split my career between Private Planning Consultancies and Development Management roles within Local Planning Authorities.
- 1.2 I am a Chartered Town Planner, I obtained full Chartered Membership of the Royal Town Planning Institute in 2016, where I received a commendation for my Assessment of Professional Competence (Member no. 56420).
- 1.3 I am currently employed by South Cambridgeshire District Council as a Principal Planning Officer on a contract basis and I have been in this post since September 2022. As explained below, I was not involved or aware of the planning application during its determination.
- 1.4 My previous role was the Deputy Planning Manager for Major Developments at the London Borough of Waltham Forest. I held this post for four years. Previously, I was employed as a Principal Planning Consultant at GVA (now known as Avison Young) and as a Senior Planning Consultant at Indigo Planning (now known as WSP). Prior to Waltham Forest, I have held contracting roles at the London Borough of Lewisham, Royal Borough of Greenwich, Wandsworth Council and the London Borough of Lambeth.
- 1.5 My experience lies primarily with strategic scale, mixed-use transformational development sites. At LB Borough of Waltham Forest, I was the case officer responsible for securing the expansion of a regionally significant strategic sport and community facility (Lee Valley Ice Rink) in the Metropolitan Open Land which carries the same level of policy protection as Green Belt.
- 1.6 This proof of evidence should be read together with the proof of Gail Broom on Heritage matters, and the proof of Gurdev Singh on the evidence of Need.

## **STATEMENT OF TRUTH**

- 1.7 The evidence which I have prepared and provide in this proof of evidence is true and is given in accordance with the guidance of the RTPPI professional institution. I confirm that the opinions expressed in this proof of evidence are my true and professional opinions.

## **2.0 SCOPE AND STRUCTURE**

- 2.1 In this Proof of Evidence I present planning evidence for South Cambridgeshire District Council, the Local Planning Authority ('SCDC', 'the Council'), in response to an appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990 ('the 1990 Act') by Cassel Hotels (Cambridge) Ltd, ('Appellant').
- 2.2 This Proof is submitted in support of the Council's refusal on Green Belt grounds and to address the planning balance (namely, the application of s.38(6) of the Planning and Compulsory Purchase Act 2004).
- 2.3 I identify the relevant planning policy framework for this appeal, assess the proposed development against the relevant local planning policies, and reach conclusions as to whether the proposed development accords with the development plan as a whole, and whether other material considerations indicate that a decision should be made other than in accordance with the development plan.
- 2.4 I was not the case officer responsible for managing the application subject to this appeal, nor was I aware of the proposed development during its determination. Before agreeing to act in this appeal, I reviewed the application documents alongside the case officer's report to the Council's Planning Committee ('OR') and the decision notice, and I satisfied myself that the Council's position was robust in planning terms and that I could provide expert planning evidence in support of it.
- 2.5 Whilst I did not author the OR, I have a thorough understanding of the background to the appeal and the Council's case, and I have undertaken an inspection of the site and its surroundings.
- 2.6 The remainder of this Proof is set out under the following headings (drawn from the Inspector's outline of the issues at the Case Management Conference held on 13 December 2022):
- Section 3 Harm to the Green Belt. In this section, I set out the relevant planning policy context and the extent to which the appeal scheme complies with local and national planning policy with respect to the Green Belt.
  - In Section 4 Other Harm. In this section I set out the Council's position on heritage harm.
  - In Section 5 Very Special Circumstances. In this section, I consider the case for very special circumstances to justify inappropriate development in the Green Belt, and the weighting that I ascribe to them.

- In Section 6 I consider the Appeal Proposal's overall compliance with the South Cambridgeshire District Council Local Plan 2018.
- In Section 7 I set out the planning balance and my conclusions. A Summary of this proof of evidence has been provided under separate cover.
- Appendices to this proof of evidence are provided separately.

2.7 This Proof of Evidence has been prepared having regard to The Planning Inspectorate's Procedural Guide: Planning Appeals – England (November 2020), especially noting Annex I in respect of electronic communications and formatting.

2.8 The Council's Statement of Case sets out a description of the site, the planning history and the relevant Local Plan policies and supplementary planning documents.

### **3.0 GREEN BELT HARM**

- 3.1 This issue relates to Reason for Refusal 1 of the application decision notice of 22 July 2022 which states:

*The site is located outside of the development framework boundary of Girton, within the countryside and Cambridge Green Belt. The proposed development would represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms as the development does not fall within any of the exception criteria within paragraphs 149 or 150 of the National Planning Policy Framework 2021. The proposal is therefore contrary to Policy S/4 of the South Cambridgeshire Local Plan 2018 and paragraphs 147, 148, 149 and 150 of the National Planning Policy Framework 2021 that seek to resist inappropriate development in the Green Belt.*

#### **Relevant Development Plan and national policy on Green Belt**

##### **Development Plan policy on Green Belt**

- 3.2 The Council's Statement of Case (7 December 2022) identifies that, in relation to Green Belt harm, the Appeal Proposal is contrary to two Spatial Strategy policies (Policy S/4 (Cambridge Green Belt) and Policy S/7(2) (Development Frameworks)) and two Green Belt policies (Policy NH/8 (The Green Belt) and Policy NH/9 (Redevelopment of Previously Developed Sites and Infilling in the Green Belt)) of the South Cambridgeshire Local Plan 2018.
- 3.3 The Statement of Case (paras 5.14-5.17) concludes that the Appeal Proposal would result in visual and spatial harm to the openness of the Green Belt which, while not giving rise to significant harm to openness or character and appearance, constitutes inappropriate development which is contrary to Local Plan Policies S/4, NH/8 and NH/9 as well as the National Planning Policy Framework as a material consideration.
- 3.4 I shall now consider each policy in turn.
- 3.5 Policy S/4 (Cambridge Green Belt) of the South Cambridgeshire Local Plan 2018 is a spatial policy which sets out the primary function of the Cambridge Green Belt. Policy S/4 states (emphasis added):

*A Green Belt will be maintained around Cambridge that will define the extent of the urban area. The detailed boundaries of the Green Belt in South Cambridgeshire are defined on the Policies Map, which includes some minor revisions to the inner boundary of the Green Belt around Cambridge and to the boundaries around some*

*inset villages. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.*

3.6 Supporting text paragraph 2.30 states:

*The Cambridge Green Belt surrounds Cambridge and is relatively small in extent, extending around 3 to 5 miles from the edge of the City and incorporates many of South Cambridgeshire's larger and most sustainable villages. The established purposes of the Cambridge Green Belt are to:*

- *Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;*
- *Maintain and enhance the quality of its setting; and*
- *Prevent communities in the environs of Cambridge from merging into one another and with the city.*

3.7 The Local Plan supporting text recognises the importance of the Cambridge Green Belt and that although it is small in its extent, it doesn't make it less important. Even small encroachments into the Green Belt cause harm. The appeal site lies within a narrow finger of Green Belt, known locally as the 'Girton Gap'. The Girton Gap is an important spatial feature, which prevents the village of Girton and the City of Cambridge from merging into a single conurbation. It is described in the Council's Inner Green Belt Boundary Study (2015) as "*a narrow strip of open space, mostly consisting of sports pitches, that separates Girton village from the edge of Cambridge.*"<sup>1</sup> Further stating: "*This sub area is key to retaining separation between Girton and the edge of Cambridge. It is already a very narrow gap, with Girton being one of the closest necklace villages to Cambridge.*"<sup>2</sup>

3.8 To the south of the site are Anglian Ruskin open playing fields and to the north is open countryside. The Girton village boundary lies to the west, and the Cambridge City boundary lies to the east. Whilst the original house was in situ when the site was designated as Green Belt in 1965, the village of Girton and Cambridge city have expanded significantly in this time. Further incremental additions to the original building have eroded the openness of the Appeal Site further. The Appeal Proposals would

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<sup>1</sup> Para. 4.11.4, page 45, Cambridge Inner Green Belt Boundary Study, November 2015 (Appendix EG1)

<sup>2</sup> Page 77, Cambridge Inner Green Belt Boundary Study, November 2015 (Appendix EG1)

increase the built footprint and volume beyond that which currently exists and position the building closer to the residential properties along the Brambles in Girton.

3.9 In order for the Appeal Proposal to accord with Policy S/4 of the South Cambridgeshire Local Plan, the scheme must satisfy the Green Belt policy requirements of the National Planning Policy Framework 2021. I shall deal with national policies on Green Belt later in this section.

3.10 Policy S/7 (Development Frameworks) of the South Cambridgeshire Local Plan is another relevant spatial policy which sets out a general approach to considering development proposals inside and outside of Development Frameworks. As explained in the supporting text, the development frameworks (para. 2.50):

*‘.. define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.’*

3.11 Policy S/7 is split into two parts. Part 1 relates to proposals within development frameworks and establishes that the development and the redevelopment of unallocated land and buildings will be permitted subject to certain provisos. Part 2 relates only to proposals located outside of a development framework. The Appeal site lies outside of a development framework, so Policy S.7 (2) is applied, which states:

*‘Outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.’*

3.12 The Appeal Proposal is located outside the village of Girton and outside the boundary of Cambridge City, within the open Countryside and Cambridge Green Belt. The site is not allocated for redevelopment in the Local Plan or any Neighbourhood Plan. The Appeal Proposal does not comprise development for agriculture, horticulture, forestry, outdoor recreation or other uses which need to be located in the countryside. Therefore, it is my view that the scheme fails to comply with Policy S/7 of the South Cambridgeshire Local Plan 2018.

3.13 Chapter 6 of the South Cambridgeshire Local Plan sets out the development management policies for Protecting and Enhancing the Natural and Historic Environment.



3.14 Policy NH/8 (Mitigating the Impact of Development In and Adjoining the Green Belt) is the first of two Green Belt specific Development Management policies which set out the criteria for achieving sustainable, supportable development in the Green Belt. Policy NH/8 part 1 states (emphasis added):

*‘Any development proposals within the Green Belt must be located and designed so that they do not have an adverse effect on the rural character and openness of the Green Belt.’*

3.15 The Appeal Proposal is a previously developed site. Notwithstanding, Policy NH/8 is engaged because the scheme has been designed in such a way so that the building would be located centrally within the site, positioned closer to the residential properties along the Brambles. The scheme has been designed to be volumetrically larger than the existing buildings and being two-to three storeys across the footprint, the proposal would comprise a substantial built form which would harm the openness of the Green Belt. As such I consider the Appeal Proposal would have a harmful impact on the openness of the Green Belt by being materially larger and sited closer to the residential properties along the Brambles in Girton. Accordingly, I consider the proposal fails to comply with policy NH/8 of the South Cambridgeshire Local Plan 2018.

3.16 Policy NH/9 (Redevelopment of Previously Developed Sites and Infilling in the Green Belt) is the other relevant Green Belt Policy in the Local Plan. This policy clearly states that redevelopment of previously developed sites in the Green Belt is considered inappropriate development unless the scheme meets one of the exceptions (as relevant):

1. *‘Redevelopment of Previously Developed Sites and Infilling in the Green Belt will be inappropriate development except for:*

*e. The partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.’*

3.17 Policy NH/9 criteria ‘a-d’ are not applicable, and only criterion ‘e’ applies. It is my view that, since the scheme proposes a 13% increase in built footprint, and a 33% increase in volume<sup>3</sup> as the building would be two-to- three storeys across the entire footprint<sup>4</sup>, the development would result in a greater impact on openness and indeed, result in

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<sup>3</sup> Paragraph 9.3.6 and Table 4 of the Landscape and Visual Appraisal and Green Belt Study (CD20)

<sup>4</sup> Paragraph 10.27 of the OR (CD91)

further encroachment into the countryside. By encroaching into the countryside, the Appeal Proposal would fail to safeguard the countryside, contrary to one of the Green Belt purposes. Accordingly, I consider the proposals constitute inappropriate development and fail to comply with Policy NH/9 of the South Cambridgeshire Local Plan 2018.

3.18 My conclusion echoes the conclusions of the original OR, para. 10.31 which states:

*“.. given the increase in footprint and volume and the visual perception of being closer to properties in The Brambles, Girton, on balance, officers consider that the spatial and visual harm would have a greater impact upon the openness of the Green Belt and is therefore, inappropriate development. Although this impact is not considered significant, it does amount to harm to the Green Belt. The proposal would therefore, conflict with policy NH/9 of the Local Plan.”*

#### **National Policy on Green Belt**

3.19 Paragraph 137 of the NPPF states:

*‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.’*

3.20 As set out above in para 3.15 I consider the Appeal Proposal would have a harmful impact on the openness of the Cambridge Green Belt and therefore, I am of the view that the proposals are contrary to paragraph 137 of the NPPF 2021.

3.21 Paragraph 138 of the NPPF states:

*Green Belt serves five purposes:*

*a) to check the unrestricted sprawl of large built-up areas;*

*b) to prevent neighbouring towns merging into one another;*

*c) to assist in safeguarding the countryside from encroachment;*

*d) to preserve the setting and special character of historic towns; and*

*e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

3.22 I consider that the Appeal Proposal conflicts with one of the five purposes of the Green Belt, this being safeguarding the countryside from encroachment (para. 138 (c)). As set out above, the replacement building would have a 13% larger footprint, and a 33%

increase in volume as the building would be two-to- three storeys' across the entire footprint, and be sited closer to the residential properties at The Brambles, located north of the site.

- 3.23 Paragraph 147 of the NPPF states: *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*
- 3.24 As discussed above in paragraph 3.17, I consider the Appeal Proposal to constitute inappropriate development in the Green Belt as the scheme does not meet any exceptions criteria in the Local Plan, and is by definition, harmful to the Green Belt.
- 3.25 Paragraph 6.3 of the Appellant’s Statement of Case (CD106) acknowledges that the Appeal Proposal is inappropriate development.
- 3.26 Paragraph 148 of the NPPF states *“substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 3.27 The Appellant’s case for very special circumstances is considered in Section 5 my Proof of Evidence below.
- 3.28 Paragraph 149 of the National Planning Policy Framework (2021) states (as relevant): *‘A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.’*
- 3.29 Paragraph 149 criterion (g) makes provision for redevelopment of a previously developed site in the Green Belt on the proviso that one of two criteria are met. The first criterion is that the proposal would not have a greater impact on the openness of

the Green Belt than the existing development, and the second criterion is that development would not cause substantial harm in the event that the development proposes to deliver an identified affordable housing need within the area. As the proposals do not make any affordable housing provision only the first criteria of 149(g) is relevant. In order to confirm this position, an assessment of the Appeal Proposal's impact on openness under the NPPF is required (see below).

3.30 Paragraph 150 of the National Planning Policy Framework (2021) sets out the forms of development which are not inappropriate in the Green Belt providing they preserve its openness and do not conflict with the purposes of the Green Belt:

3.31 The Appeal Proposal is to demolish a hotel (C1 Use) and to construct a residential Care Home (C2 Use). It is my view that the proposals do not fall into any categories of appropriate development defined in Paragraph 150.

*Impact on openness*

3.32 National Planning Practice Guidance states:

*Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

*(Paragraph: 001 Reference ID: 64-001-20190722)*

3.33 I am of the view that the Appeal Proposals would have a greater impact on the openness of the Green Belt than the existing development, by virtue of a greater volume, a larger footprint, and being sited closer to residential properties on The Brambles. Whilst it is acknowledged the perimeter would be more contained than the existing building, the existing building has a staggered roof profile and large portions of the complex are single storey. By contrast, the Appeal Proposal would introduce a

consistent, solid built form with a rigid roof profile and accommodation in the roof space. The proposal would also result in a 33% increase in volume, which equates to 4,670 m<sup>3</sup> above the existing built form on the site<sup>5</sup>. This is not insignificant.

- 3.34 Moreover, the Appeal Proposal seeks to deliver a replacement building of permanent construction with no prospect of returning the Green Belt to undeveloped land or to an improved state of openness, though I do consider the landscaping and biodiversity proposals to mitigate the harm associated with the impact on openness to a limited degree.
- 3.35 In gauging the extent of the impact on the openness, I have reviewed and considered the submitted Landscape and Visual Appraisal and Green Belt Study (CD20). I have read and considered the points raised in the OR and the comments from the Council's Landscape Officers and I have made my own assessment of the proposal.
- 3.36 I have noted "Figure 6 - compared elevation – north (red as existing)," from the Landscape and Visual Appraisal and Green Belt Study (page 29). Whilst the image provides some understanding of the existing building versus the proposed, in my view such images can only go so far in understanding the impact of a proposal. Its impact is a matter of judgment also informed by other matters, such as a site visit.
- 3.37 I conclude that the development would have a greater spatial impact on the openness of the Green Belt than the existing building, contrary to para. 149(g) of the NPPF, and causing harm. The impact on openness would also result in conflicts with Policies S/4, NH8 and NH/9 of the Local Plan.

#### *Conclusion*

- 3.38 As is it agreed by all parties that the Appeal Proposals constitute inappropriate development, I consider the Appeal Proposals can only comply with Policy S/4 of the South Cambridgeshire Local Plan (2018), and the NPPF as a material consideration, if it can be demonstrated that very special circumstances exist which clearly outweigh harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal.
- 3.39 The in principle harm to the Green Belt carries substantial weight in the Planning Balance.

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<sup>5</sup> Table 4, page 28, LVA and GB Study (CD20)

3.40 As such, the Appellant is required to demonstrate that the in principle harm to the Green Belt, which carries substantial weight, and any other harm resulting from the proposal, is clearly outweighed by very special circumstances.

#### **4.0 OTHER HARM – HERITAGE**

4.1 Reason for Refusal 2 refers to the heritage harm arising from the total loss of a Non-Designated Heritage Asset. With respect to the heritage impacts, I rely on the expert evidence set out in the Proof of Evidence prepared by Gail Broom IHBC (Principal Conservation Officer).

4.2 Hotel Felix is a Non-Designated Heritage Asset. Its complete loss by this proposal gives rise to heritage harm. This constitutes “other harm” resulting from the proposal to be weighed against the proposal in the planning balance in addition to the Green Belt harm identified above.

4.3 Section 2 of Policy NH/14 of the South Cambridgeshire Local Plan 2018 deals with proposals involving heritage assets. It states (as relevant, emphasis added):

*‘Development proposals will be supported when they sustain and enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the National Planning Policy Framework, particularly:*

*d. Non-designated heritage assets including those identified in conservation area appraisals, through the development process and through further supplementary planning documents.’*

4.4 As to the NPPF, paragraph 189 explains that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. In determining applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (para. 197(a)).

4.5 Paragraph 203 of the NPPF looks at the effect of an application on the significance of a non-designated heritage asset and in the weighing up of an application affecting such an asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 4.6 The NPPG is clear that “*local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications*” (Paragraph 040 Reference ID:18a-040-20190723).
- 4.7 As Ms. Broom’s POE concludes, the existing Hotel Felix building has the relevant heritage significance to be considered a non-designated heritage asset. It meets three of the relevant criteria (Architectural quality, Architectural style and Historic interest) and in Ms. Broom’s view has a medium/moderate heritage significance. I agree with Ms. Broom’s assessment of significance.
- 4.8 I also note that the building was considered to be an NDHA in the consultation response of the Council’s Conservation Officer (Jonathan Hurst, now retired), the Victorian Society and the Ancient Monuments Society’s responses to the planning application (GBPOE Appendices). I am satisfied that the application of Cambridge City Council’s published criteria for designating Buildings of Local Interest, which are broadly similar to those in Historic England’s Historic Advice Note 7, is appropriate and has been sensibly used in assessing the Victorian villa’s significance, despite South Cambridgeshire not having its own established local list.
- 4.9 Gail Broom’s POE states that, given the proposal will result in the total loss of a NDHA of moderate significance, the heritage harm here would be significant. I agree with this statement. Total demolition of the NHDA would result in the complete loss of all heritage significance, and this weighs against the proposal in the planning balance.
- 4.10 I consider the Appellants’ have not properly justified the demolition of the Hotel Felix. The Appellant’s Heritage Statement (para. 5.19) states that a structural survey dated September 2019 prepared by Structural Engineers Cambridge Ltd is located at Appendix 3, however Appendix 3 relates to an “Appeal Decision 2020 – “Lord Nelson Cleeve” and the remaining appendices are also not structural surveys. Despite references to a structural report and structural issues in the Appellant’s Design and Access Statement (Sections 2.5, 2.7, 3.6), no structural survey or details of the structural issues appear to form any part of the planning application.
- 4.11 The Appellant’s Design and Access Statement put forward five concept designs, which utilised part or all of the existing building (Page 12, Section 2.6). These concept designs were discounted as being unviable and impracticable. However, I do not consider that all options have been fully explored. The Appellant’s DAS briefly

considers façade retention (CD18 Page 13 Section 2.7) however, this option was discounted as being “imprudent and infeasible” and cited structural issues as discussed above. I am therefore of the view that the Appellant has not robustly justified the total loss of the NDHA.

4.12 Gail Broom’s POE (para 11.7) states:

*‘Considering the objective of Policy NH/14, that proposals sustain and enhance significance of heritage assets including non-designated assets appropriate to their significance, in my view a full and comprehensive analysis of how the house could be retained as part of any proposed scheme would be a reasonable approach to meeting this policy objective.’*

4.13 I agree with this statement. Overall, I consider the scheme fails to sustain and enhance the significance of the non-designated heritage asset as required by Section 2(d) of Policy NH/14 of the South Cambridgeshire Local Plan 2018.

4.14 To conclude, relying on the evidence of Gail Broom, I consider the Appellant’s Heritage Statement underestimates the significance of the existing building. I consider that the building has sufficient historical interest to justify it being considered a non-designated heritage asset of moderate significance. The proposal to demolish the building would result in a total loss of this significance, and I consider this to be a significant harm. As such, the failure of the scheme to sustain and enhance the significance of a NDHA contrary to Policy NH/14 of the Local Plan constitutes ‘other harm’ which weighs against the proposal, in addition to the in principle harm to the Green Belt referred to above.

4.15 I will now consider the case put forward by the Appellant to demonstrate that VSCS exist that clearly outweigh the harm. I have read and acknowledge the assessment made by the case officer in the OR (July 2022). However, for the reasons set out in this proof I disagree with the judgments made as to the harm caused by the scheme and the weight to be given to that harm and to the benefits of the scheme. I consider it important to make my own full assessment of the case for VSCS and the overall planning balance.



## 5.0 VERY SPECIAL CIRCUMSTANCES

- 5.1 There is no precise definition of what constitutes a very special circumstance in planning policy terms. Indeed, the matters which constitute VSCS do not independently need to be special, rare or uncommon. Each proposal is to be assessed by the local planning authority on its own merits and the weight in the planning balance given to each consideration is a matter of judgement for the decision taker. Whether a combination of factors do or do not amount to VSCS is ultimately a matter of planning judgement.
- 5.2 As referred to above, the national policy approach to VSCS is set out in paragraphs 147-148 of the NPPF.
- 5.3 The Appellant's case is that a number of considerations, taken together, constitute VSCS, clearly outweighing the in principle and other harm resulting from the proposal<sup>6</sup>. I consider each in turn below.

### *Need for Older Persons Accommodation*

- 5.4 National Planning Practice Guidance makes it clear that at a national level, there is a critical need for older persons accommodation. It continues (Paragraph 001 Reference ID:63-001-20190626):

*'Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems.'*

- 5.5 Policy H/9 (Housing Mix) of the Local Plan states that a wide choice of housing will be provided to meet the needs of different groups in the community including older people. The explanatory text to this Policy acknowledges that the population of the district is ageing (Paragraph 7.38). As with national policy, I note that the Local Plan envisages the part which the delivery of a range of specialist accommodation models can make in meeting needs. It continues (paragraph 7.39):

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<sup>6</sup> Very Special Circumstances Supplemental Report, dated 18 October 2021 (CD55)

*'These include sheltered and enhanced sheltered housing, Extra Care housing, retirement villages, continuing care retirement communities and registered care homes both with and without nursing care.'*

- 5.6 Paragraph 7.39 goes on to state (emphasis added): *"Where appropriate, specialist accommodation for the elderly should be provided on a mixed-tenure basis, and such accommodation should be located on sites in new settlements or within larger villages."*
- 5.7 Policy H/9 is not a prescriptive policy for the provision of specialist housing, though it is clear from the policy wording read with its supporting text that where this need exists, it should, where appropriate, be provided on a mixed-tenure basis. This forms the policy basis of my considerations below.
- 5.8 By way of background, the Appellant submitted a Care Home Planning Need Assessment produced by Carterwood in support of the planning application (CD17, dated Dec 2020). Table 17 stated that in the year 2023 there would be a supply of 1,062 market standard beds (en-suite), and a demand (need) for 1,161 which represented a shortfall of 99 such beds on the market. These figures were updated in a Headline Need Planning Statement of January 2022 (CD54, dated Jan 2022).
- 5.9 Cambridgeshire County Council provides Adult Social Care Services for adults in the South Cambridgeshire area. It is consulted on individual planning applications for care homes. The County Council's consultation response dated 22<sup>nd</sup> December 2021 advised that based on their own needs assessment for accommodation-based services for older people, taking into account Laing Buisson research, the expected need in South Cambridgeshire would be an additional need for 124 CQC registered beds by 2036, and that 3 care homes that had been granted planning permission since April 2020 with a total of 210 care beds. This suggested that the unmet need was not as significant as suggested by the Appellant.
- 5.10 I rely on the Proof of Evidence of Gurdev Singh (a Head of Service at Cambridgeshire CC's Adult Social Care Commissioning Directorate) in relation to need. In his Proof of Evidence, Mr. Singh:
- (1) Explains the statutory responsibilities on the County Council to provide care and support for adults in its area, that this involves an understanding of existing facilities and future needs, and that against that background, the County Council is consulted on planning applications for care homes.

- (2) Explains the context of the County Council's consultation response referred to above.
  - (3) Explains the work undertaken by the County Council jointly with Peterborough City Council on an accommodation needs assessment, the demand forecasts undertaken, and the demand profiles published for each local authority area, including South Cambridgeshire. The Proof explains the engagement with care and support providers, developers, and investors which formed part of that process, and the Commissioning Strategy / Vision which resulted from it. It is from this work, that the County Council's assessment of need is drawn in response to this application.
  - (4) Acknowledges that there is a significant growing incidence of dementia in older people, but that that does not directly equate to an increase in the need for registered care beds. Mr Singh explains that the needs of individuals living with dementia vary greatly and that the County Council's mixed market approach reflects this, with one of its purposes to reduce dependence on any one type of solution to meet the need. Independent Living Services for people with high dependencies and dementia is one such model under consideration. Such increase in choice within the market results in a reduced demand for care homes.
  - (5) Comments on the GL Hearn Report (Oct 2021) and its assessment of need.
  - (6) Comments on the Carterwood Report (Dec 2020) and the basis on which its assessment of need is made.
- 5.11 As explained by Mr. Singh (GSPOE, para. 4.26), the County Council's commissioning vision is to support more older people to remain in their own homes, or in tenanted services, where their level of independence and autonomy is far greater than in a care home. This means older persons have more choice over services when a care need arises. Greater reliance on other care types, and the introduction of Independent Living Services for people with high dependencies and dementia, are some of the options by which the needs are to be met in South Cambridgeshire.
- 5.12 In the light of his assessment, Mr. Singh concludes that although there is a need for additional CQC registered care beds in South Cambridgeshire, and that there is a need for specialist dementia care facilities, the need is at a much lower level than a critical need / shortfall of available spaces.

- 5.13 Applying Mr. Singh's evidence on need to the policy position set out above, I acknowledge that there is a critical need at a *national policy level* to ensure that there is a sustainable variety of types and tenures of older persons accommodation. However, SCDC's approach to addressing that need at a *local level*, through Policy H9, is to provide a wide choice, type, and mix of housing to meet the needs of older people. The County Council's strategy / vision, based on its needs assessment is also to provide a variety of housing typologies and tenures, with optional levels of care.
- 5.14 I also acknowledge that the incidences of dementia diagnoses are growing. However, it is my view that this does not simply translate to a blanket need for additional care home bed spaces at a local level, and the County Council's mixed market approach to meeting that need is both relevant and reasonable.
- 5.15 Whilst the County do not have a preferred position on whether the Care Home should be private pay or otherwise, I consider that as a private pay only facility, the Appeal Proposals would not be available and accessible to all, and would not deliver affordable care beds for residents who would not be able to self-fund their stay. The Cambridgeshire and Peterborough Clinical Commissioning Group and the County Council would not be able to place those in need of bed spaces in this facility, and therefore, those residents would not benefit from the specialist dementia care, if required, or the research facility.
- 5.16 I consider this to reduce the perceived benefits of the scheme and to reduce the amount of weight I would give to this as a benefit in the planning balance.

*Conclusion on need*

- 5.17 For the reasons set out above, whilst I consider that there is a need for care bed spaces and specialist dementia facilities to be delivered over the next 15-years, I do not consider that the need is as significant as the Appellant states, and I do not consider it to be a critical need in any event.
- 5.18 The evidence on need provided by Mr. Singh both contextualises and tempers the weight to be given to the need for this facility in the context of overall need for older people's accommodation. As a private paying facility, it will not be available to all. On the basis of the above, I conclude that that the need for care and dementia care beds to have **moderate weight** in the overall planning balance.

## *Stapleford and Great Shelford Appeals*

- 5.19 The Appellant's Statement of Case (paras 6.8 – 6.13) places great emphasis on recently allowed appeal decisions at Stapleford (APP/W0530/W/21/3280395) and Great Shelford (APP/W0530/W/22/3296300), and the Council's position at those appeals, as a justification for demonstrating need for a care home in the Green Belt here. In my view, these schemes should not be considered material considerations of any significant weight. Each application should be considered on its merits, and I do not consider those schemes to be comparable to this scheme, such that the Council's position in relation to need on those schemes can be applied here.
- 5.20 Importantly, these appeal decisions do not evidence a need for the type of accommodation proposed by this Appeal Proposal.
- 5.21 Stapleford was allowed on appeal for an outline retirement care village (Use Class C2). Paragraphs 61-63 of the Officer Report [Appendix EG2] defined the proposals as (emphasis added):

*“61. A retirement care village provides a range of homes to rent and to buy, with additional care facilities to support those who need it. The retirement care village model offers a combination of independence and security where older people can continue to live within their own space, supported by a flexible package of personal care services and activities. The model proposed within the application comprises the combination of a full care facility (i.e. a care home) and retirement accommodation with care linked packages. Such packages are often referred to as ‘assisted living’ or ‘extra care’.*

*62. Assisted Living or Extra Care Accommodation can provide a range of services to meet individual care needs and cater to the level of dependence required. Elderly people may wish to downsize from family housing but are not in need of the kind of intensive care arrangements that other elderly people may need. The level of care can adapt as the needs of the occupants change, enabling the elderly to buy in care packages to suit their needs rather than paying the fixed costs of a nursing home or residential care home.*

*63. Alongside integrating with local communities, retirement care villages are provided with on-site facilities, which are available to the public as well as the occupants. Such facilities can include dining, leisure, gym, swimming pool, hairdressers, activity rooms and gardens with outdoor recreation).”*

- 5.22 In my opinion, Stapleford would deliver a variety of mixed tenure older person housing types, with optional care packages and with the option for older people to rent or purchase a property which is in line with local Policy H/9 and National Planning Practice Guidance. The scheme included a C2 Use Care Home, as part of a wider variety of housing with care options.
- 5.23 By contrast, this Appeal Proposal is for a private pay residential institution. I am therefore satisfied that this is not a comparable example in the context of the Appeal Proposal.
- 5.24 Great Shelford was approved on appeal to deliver 39 retirement dwellings, which are safeguarded for older persons and offer an opportunity to privately own the property they live in. That development is designed for older people to live in independently. It is not a residential institution or care home. Such retirement schemes tend to offer communal living with services which help to sustain independence and reduce instances of loneliness.
- 5.25 I am therefore satisfied that this too is not a comparable example in the context of the Appeal Proposal.

#### *40 Specialist Dementia Care Beds*

- 5.26 The submitted Planning Statement (Paragraphs 3.2, 3.3 and 3.7) advises that the Appeal Proposals would deliver residential, nursing and dementia care, with 40 care bed spaces to be devoted to specialist dementia care. I have concerns regarding this which I shall explore in turn now.
- 5.27 Firstly, the description of the development and planning application form are silent on the specific provision of dementia care beds. Indeed, there is no condition or planning obligation capturing the breakdown in bedspaces, so it is not clear how the 40 dementia care beds would be safeguarded and secured within the permission.
- 5.28 In addition, the specific type of care home and dementia care that is proposed is not clear. The Planning Statement (para. 3.3, CD15) advises that the care home would provide 24-hour nursing care but it stops short of committing to the facility being CQC registered. It is not clear whether the development would be a care home with carers, or a nursing home registered with the CQC and employed qualified nurses.

- 5.29 Mr. Singh's Proof of Evidence identifies the factors affecting future demand, highlights the acute impact of the Covid-19 pandemic on the care sector, and notes that recovery is slow due in part to care homes' ability to recruit the right levels of staff (GSPOE Para. 6.24).
- 5.30 Given the lack of clarity in the application / appeal documents, I would afford this **moderate weight** in the overall balance of VSCS.

*Improved choice of care bedspaces*

- 5.31 The Appellant's VSC Statement states that, if approved, the proposal would deliver a better choice of accommodation to suit changing needs, providing health benefits and encourage take up of bed spaces, thereby avoiding people having to live in inappropriate accommodation, and that this should be afforded substantial weight in the planning balance.<sup>7</sup>
- 5.32 I consider this could only be an incidental benefit if the Appellant has successfully demonstrated that there is a significant unmet need. As the POE of Gurdev Singh sets out, the County Council do not consider that there is a significant unmet need for this development in South Cambridgeshire. There are a variety of developments which have been approved and are in the pipeline which will deliver a variety of older persons housing types and tenures, such as Extra Care, retirement villages and sheltered housing.
- 5.33 As such I give this matter **limited weight** in the overall VSC balance.

*Dementia Research Facility*

- 5.34 The Appeal Proposal makes provision for onsite consulting and therapy rooms and a dementia research facility, which "*will provide training and upskill the sub regional population, support the voluntary sector and deliver better outcomes for people with dementia*" (Planning Statement, para 5.23).
- 5.35 Furthermore, the Health Impact Assessment (CD56) makes reference to the Dementia Research centre "*linking inhouse care to professionals working at Addenbrookes*

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<sup>7</sup> (Table 2, point 3, page 12 of the Very Special Circumstances Final Report (CD55))

*hospital and the wider community... Stakeholder engagement helped to define the dementia research facility, mitigate neighbour impact and increase light within the development, contributing to greater health benefit.”<sup>8</sup>*

- 5.36 Paragraph 3.14 of the Health Impact Assessment (CD56) states: *“KYN have already reached out to neurologists at Addenbrookes and other providers of dementia facilities locally such as the Girton Memory Café. The centre will provide research to help train professionals, outreach to the local dementia community (including those with dementia, carers, voluntary service providers) as well as the general public to provide support and raise awareness of the challenges of living with and caring for someone with dementia.”*
- 5.37 From reviewing the planning documents submitted in support of the planning application, the Appeal Proposals are not supported by any letters of endorsement from educational or health institutions such as Addenbrookes and Cambridge University, or any dementia charities, or dementia research institutes. I would expect an application seeking to demonstrate VSCS to provide supporting evidence that there is a clear demand for the use and that there is certainty for the uptake of the facility. It is my view that the application lacks a clear support and demand for this type of facility in this location.
- 5.38 In addition to the above, I note that the Appeal Proposal is silent on how the Dementia Research Facility would be secured and delivered through the granting of planning permission. The facility is not referenced within the description of the development, it is not referenced in the Application Form, nor is there any mechanism for capturing this facility within the draft conditions or S.106 legal agreement. It is therefore not certain that it would be delivered as part of this proposal, and indeed could be withdrawn from the scheme at any time without needing to submit an amended application.
- 5.39 I would give the dementia research facility **limited weight** in the balance of the overall assessment of need, which forms a key aspect of the Appellant’s case for VSCS.

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<sup>8</sup> Page 4 and 5 of the Health Impact Assessment (CD56)



### *Release of General Housing*

- 5.40 The Very Special Circumstances document produced by the Appellant's team (18 October 2021) states the development will indirectly contribute to the housing land supply within the district, and that this should be afforded very substantial weight in the VSC balance (CD55, Table 2, page 13).
- 5.41 I disagree that the potential release of existing housing stock should be afforded very substantial weight in the balance of VSC.
- 5.42 The Greater Cambridge Housing Trajectory and Five-Year Housing Land Supply Report, dated 1<sup>st</sup> 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 EG3 for a copy of the report.
- 5.43 The Housing Delivery Test result for South Cambridgeshire for 2021 was 145%. Please see Appendix EG4 for a copy of the results.
- 5.44 Given that the Council has a clearly demonstrable 5 year supply of housing and has met the requirements of the Housing Delivery Test, I am of the view that the potential release of up to 42 existing homes into the market should be afforded **limited weight** in the overall VSC balance.

### *Community and Health Benefits*

- 5.45 The Appellant's VSC Report (Table 2, page 13) (CD55) states that there would be social opportunities and health benefits arising from the delivery of specialist dementia facilities, which would benefit residents, carers, visitors and the wider elderly and Dementia community through use of facilities and community activities and that this should be afforded substantial weight.
- 5.46 I consider that these are incidental benefits would only arise if the Appellant has successfully demonstrated a significant unmet need for the care bed spaces. Additionally, the supporting application documents, notably, the Planning Statement, Design and Access Statement, VSC Report, Statement of Community Involvement and Health Impact Assessments do not contain any detail of exactly how the wider elderly and dementia community would directly benefit from the scheme. The Appellant has not suggested any proposals which could be captured within the legal agreement to lock in these benefits. It appears to me that the benefits would only apply to those

residents who can afford to self-fund their care at the facility. Accordingly, I given the community and health benefits **limited weight** in the overall balance of VSC.

#### *Landscape Enhancements*

- 5.47 As part of the overall design package, LUC have prepared a comprehensive landscaping scheme which is acceptable. The design and specifications are generally supported by the Council's Landscape Officer in their consultation response to the original planning application, although the proposals would require the relocation of a number of mature trees which could have been avoided.
- 5.48 In considering the balance of VSC, I would give the landscaping improvements **limited weight** in favour of the proposals.

#### *Biodiversity*

- 5.49 Through the introduction of biodiversity rich planting and landscaping, tree planting and habitat infrastructure, the Appeal Proposal would deliver a 74.49% in habitat units and 38.725% in hedgerow units which is a substantial Biodiversity Net Gain across the site when assessed against Biodiversity Net Gain Metric 2.0.
- 5.50 While I acknowledge this metric has now been superseded by Metric 3.1, the landscaping and biodiversity proposals would achieve more than the local policy minimum requirements. This would be a significant benefit to the scheme as it would ameliorate some of the harm to the Green Belt arising from the inappropriate development.
- 5.51 In considering the balance of VSC, I would give the biodiversity improvements **moderate weight** in favour of the proposals.

#### *Job Creation and Economic Impacts*

- 5.52 The Appeal Proposal proposes to create 115 new jobs for permanent and part time members of staff, temporary construction works and through the supply chain.
- 5.53 The site is in a relatively sustainable location, which connects into the cycle network which runs along Huntingdon Road and the site is served by bus Route 5 and 6. I do note that these bus services generally run half hourly from 6:40am, however this service is reduced to an hourly service after 18:30 until approximately 22:15. Before or after these times workers may rely on private car use to get to shifts on time.

- 5.54 Whilst these jobs are a perceived benefit of the proposed development, as referred to by Mr. Singh in his Proof of Evidence, there is a level of uncertainty around the shortage of registered nurses and care workers in the UK Care Industry, which is particularly relevant following the Covid-19 Pandemic and the possible implications from Brexit (GSPOE Para. 6.24 and 7.35).
- 5.55 In considering the balance of VSC, given the former use of the site as a hotel which also employed people, and that economic benefits are not a principal objective of the scheme, this benefit should be given **limited weight**.
- 5.56 The Appellant's VSC Report (CD55) (Table 2 page 15) states: "*take up of the site for its previous hotel use is unlikely*" due to a number of other hotels opening, and that this should be afforded moderate weight.
- 5.57 I consider this point to be unsubstantiated. No marketing evidence was submitted in support of the application to demonstrate that the hotel use is no longer in demand or that no other operators would be interested in taking a lease. I give this point **negligible weight** in the balance of VSC.

#### *Conclusions of the VSCS*

- 5.58 To conclude, the Appellant has sought to demonstrate that the development would meet a significant unmet need and bring forward several benefits that would outweigh the identified harm.
- 5.59 In my view, based on the evidence of Gurdev Singh, whilst there is a need for additional care bed spaces and specialist dementia facilities, the need is not so significant to justify giving significant weight to this benefit. Simply put, I do not consider there to be a clear or compelling case for need to underpin the case for very special circumstances.
- 5.60 I do not consider that the factors put forward carry sufficient weight, individually or collectively, to constitute the very special circumstances required to justify inappropriate development in the Green Belt and to clearly outweigh the identified harm to the Green Belt in addition to the harm from the total loss of a non-designated heritage asset.

## **6.0 Overall compliance with the South Cambridgeshire Local Plan 2018**

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and 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.
- 6.2 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.
- 6.3 As explained above, Policy H/9 (Housing Mix) is not a prescriptive policy for the provision of specialist housing, though it is clear from the policy wording read with its supporting text that the onus is on the applicant to demonstrate that there is an identified need, and where this need exists, it should be provided on a mixed-tenure basis.
- 6.4 The Appeal Proposal is for a private pay only, 80 bed care home (Use Class C2) which would provide 40 beds for specialist dementia care, along with a dementia research facility. The proposals would not be provided on a mixed-tenure basis and as demonstrated above, would not meet a significant unmet need to justify inappropriate development in the Green Belt. I consider that a care home would not need to deliver affordable housing in order to strictly comply with Policy H/9, though the tenure would be improved through the offering of beds to the Cambridgeshire and Peterborough Clinical Commissioning Group or County to meet any identified need. I conclude that the Appeal Proposal would fail to deliver the wide choice of housing or a mixed tenure specialist older persons accommodated development as required by Policy H/9 and explanatory text of the South Cambridgeshire Local Plan 2018.
- 6.5 For completeness, I consider the Appeal Proposals to broadly comply with policies HQ/1 (High Quality Design), NH/2 (Protecting Landscape Character), NH/4 (Biodiversity), CC/1 (Mitigation and Adaptation to Climate Change), CC/3 (Renewable and Low Carbon Energy in New Developments), CC/4 (Water Efficiency), CC/6 (Construction Methods), CC/7 (Water Quality), CC/8 (Sustainable Drainage Systems), CC/9 (Managing Flood Risk), TI/2 (Planning for Sustainable Travel), TI/3 (Parking Provision), SC/2 (Health Impact Assessment), SC/9 (Lighting Proposals), SC/10

(Noise Pollution), SC/11 (Contaminated Land), SC/12 (Air Quality), SC/14 (Odour and other Fugitive Emissions to Air), TI/10 (Broadband) of the South Cambridgeshire Local Plan 2018.

- 6.6 The reasons for refusal include harm to the Green Belt, total loss of a non-designated heritage asset, and lack of a compelling case for very special circumstances, as well as the proposal being contrary to a significant number of policies in the Local Plan and contrary to the National Planning Policy Framework as a material consideration.
- 6.7 As to the assessment of need for a Care Home facility, I have read and rely upon the evidence of Gurdev Singh. The conclusions of my assessment of the very special circumstances put forward by the Appellant confirm that there is no significant unmet need to deliver care bed spaces that sufficiently justifies inappropriate development in the Green Belt, nor would the perceived benefits which could accrue from the development be so great so as to sufficiently outweigh the substantial in principle harm to the Green Belt.
- 6.8 As to the total loss of a non-designated heritage asset, I have read and rely upon the evidence of Gail Broom. The development would result in the total demolition of a non-designated heritage asset which would fail to preserve and enhance the significance, conflict with Local Plan Policy NH/14 and Paragraph 203 of the NPPF.
- 6.9 For the reasons set out in the Council's Statement of Case and indeed throughout my Proof of Evidence I consider the application fails to comply with South Cambridgeshire Local Plan Policies S/4, S/7, H/9, NH/8, NH/9 and NH/14. In my judgment, the proposal is not in accordance with the Development Plan, taken as a whole.

## 7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 I have acknowledged the benefits of the proposal in the proof above. These include:
- Improved landscaping and tree planting
  - Significant biodiversity net gain
  - The provision of jobs during construction, management, and care
  - Reuse of a previously developed site
  - A sustainable location
- 7.2 The Appeals Proposals by virtue of the increase in volume and siting closer to the properties in the Brambles constitute inappropriate development in the Green Belt, and therefore must demonstrate very special circumstances exist which clearly outweigh the in principle harm to the Green Belt, and any other harm arising from the proposals.
- 7.3 I have considered and rely on the proof of evidence put forward by Gail Broom IHBC with respect to the Heritage harm of the proposals. In conclusion, I consider the Appeal Proposal fails to adequately justify the total loss of the moderate heritage significance of Hotel Felix, as a non-designated heritage asset. I consider that even if the Appellant were able to demonstrate case for very special circumstances to justify inappropriate development in the Green Belt, I consider the scheme fails to sustain and enhance the significance of the non-designated heritage asset as required by Section 2(d) of Policy NH/14 of the South Cambridgeshire Local Plan 2018 and would still need to overcome this reason for refusal.
- 7.4 There is a high level of policy protection to prevent inappropriate development in the Green Belt, and substantial weight is given to the harm caused by its inappropriateness. I have considered the Appellant's case for VSCS in detail as set out above in this report.
- 7.5 I have considered and rely on the proof of evidence put forward by Gurdev Singh of Cambridge County Council with respect to the evidence of care bed needs and would conclude that the Appellant has failed to adequately demonstrate such a need for bedspaces which are to be afforded substantial weight in the balance of the VSCS. I have attributed a **moderate weight** to need in the overall balance of VSCS.
- 7.6 With regard to Specialist Dementia Care Beds – as there are no mechanisms within the Appeal Proposal to secure this benefit, I give the matter **moderate weight** in the VSCS balance.

- 7.7 With regard to improved choice of care bedspaces, I give the matter **limited weight** in the VSCS balance
- 7.8 With regard to the dementia research facility, as there is no mechanism for securing this benefit within the appeal submission and no evidenced need for this type of facility, I give the matter **limited weight** in the overall planning balance.
- 7.9 I would also give **limited weight** to the release of general housing, landscaping improvements, and the perceived community and health benefits in the overall planning balance.
- 7.10 I would give **moderate weight** to the proposed biodiversity improvements as this would deliver improvements to the Green Belt, which is supported in local and national planning policy.
- 7.11 As set out above in para. 5.61, I do not consider that the factors put forward carry sufficient weight, individually or collectively, to constitute the very special circumstances required to justify inappropriate development in the Green Belt and to clearly outweigh the identified harm to the Green Belt in addition to the harm from the total loss of a non-designated heritage asset.
- 7.12 With regard to the S38(6) balance, it is my view that the proposal fails to accord with South Cambridgeshire Local Plan Policies S/4, S/7, NH/8, NH/9, NH14, and the Development Plan when taken as a whole. It also fails to accord with the National Planning Framework through paragraphs 147, 148, 149(g), 150, 189, 197(a), and 203. My view takes account of the mitigation / benefits which could be secured through proposed conditions and the s.106 Agreement. As a result it does not represent sustainable development.
- 7.13 The Inspector is respectfully requested to dismiss the appeal.
- 7.14 Should the Inspector be minded to allow the appeal, a list of conditions was included within the Statement of Common Ground.

## 8.0 LIST OF APPENDICES

Appendix	Document Title
EG1	Cambridge Inner Green Belt Boundary Study, November 2015
EG2	Officer Committee Report for – Land Between Haverhill Road and Hinton Way, Stapleford (20/02929/OUT)
EG3	Greater Cambridge Housing Trajectory and Five-Year Housing Land Supply Report dated 1 <sup>st</sup> April 2022
EG4	Housing Delivery Test: 2021 Measurement, GOV.UK