
Appeal Decision

Site visit made on 13 September 2016

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/H1033/W/16/3153598

Triangle of Land Situated off Macclesfield Main Road SK17 6UH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Jonathan Davies against the decision of High Peak Borough Council.
 - The application Ref HPK/2015/0636, dated 20 November 2015, was refused by notice dated 22 January 2016.
 - The development proposed is the construction of a new self-build eco-friendly house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters reserved. I have dealt with the appeal on that basis, treating the Site Plan, Proposed Floor Plans, Proposed Road Elevation and Sections AA, Perspective and Aerial View as indicative.
3. Following the refusal of planning permission on 22 January 2016 the High Peak Local Plan April 2016 has now been adopted and forms the development plan for the area.

Main Issues

4. The main issues are:
 - i. whether the site would be an appropriate location for development having particular regard to the principles of sustainable development in the National Planning Policy Framework (the Framework) and the development plan; and
 - ii. the effect of the proposal on the character and appearance of the area.

Reasons

Principles of sustainable development

5. The appeal site comprises a triangle of steeply sloping elevated rough grassland located outside the built up area boundary of Buxton and therefore within the countryside according to the adopted development plan.
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6. Macclesfield Main Road runs along the northern boundary of the site, Bridgehouse Farm and its associated agricultural buildings run along the south western boundary with grazing land to the east.
7. According to Policy H1 of the High Peak Local Plan Adopted April 2016 (LP) consideration will be given to approving sustainable development outside the defined built up areas, taking account of other policies in the Local Plan, provided that a number of criteria are met relating to the relationship with the existing pattern of development, intrusion into and impact on the character of the countryside and access to services and facilities by means other than the private car.
8. Paragraph 17 of the Framework sets out core principles that should underpin plan-making and decision-taking. These support the objectives relating to achieving sustainable development, which has three clear dimensions – economic, social and environmental. In order to achieve sustainable development the Framework states that each of these should be sought jointly and simultaneously through the planning system. Good design is a key aspect of sustainable development.
9. The Council can demonstrate a five year supply of housing land under the recently adopted Local Plan which identifies sites which are developable and can be brought forward for development in the next five years. Irrespective of whether or not the five year supply exists, paragraph 49 of the Framework says that applications for housing should be considered in the context of the presumption in favour of sustainable development.
10. Although there is some existing residential development close to the site around the junction of Leek Road and Macclesfield Main Road, the site is isolated from it by agricultural land. The proposed residential development would also relate poorly to the group of large agricultural buildings situated on higher land to the south west. Although the site may have some historic link to the former Cromford and High Peak Railway that once ran along the south western boundary of the site it is clearly a greenfield site which is not allocated for residential development purposes in the development plan.
11. From my observations on site I noted that the site is some distance away from local facilities such as shops, schools, community and medical facilities. The closest shop is a small convenience store associated with a petrol station on Leek Road. Future residents would also be required to walk to the nearest public transport services. Although there are some services and facilities in Burbage which is approximately half a mile away, the majority are further away with Buxton town centre being approximately two miles from the site. Given the lack of facilities and services there would be a heavy reliance on private vehicles for journeys irrespective of distance. Longer trips to Buxton would be likely to be necessary on a regular basis.
12. The Framework also identifies that housing should be located where it can enhance or maintain local facilities. Given the poor availability of these I do not consider that the proposal could provide significant social benefits without requiring regular private vehicle journeys. Furthermore, members of the community without access to private vehicles would not benefit from good access to services and therefore in this regard the proposal would not make a positive contribution to supporting strong, vibrant and healthy communities as required by the Framework.

13. There is no evidence before me that the proposal would bring benefits in terms of the economic dimension of sustainable development.
14. On this issue I therefore conclude that the site would not be an appropriate location for development having particular regard to the principles of sustainable development. As such, it conflicts with Policy H1 of the LP and the Framework.

Character and appearance

15. Policy EQ3 of the LP relating to rural development seeks to ensure that new development is strictly controlled in order to protect the landscape's character and distinctiveness whilst facilitating rural community needs, tourism and economic development.
16. Given the topography of the site and its surrounding area the development would be clearly visible from surrounding view points, including Leek Road, Macclesfield Main Road and more distant views from across open fields from the residential area and countryside near to Macclesfield Old Road and the north. Consequently, the residential development would constitute an isolated and inappropriate intrusion into the countryside.
17. I am aware that the proposal is in outline with all matters reserved and I have also noted the appellant's willingness to discuss detailed design matters with the local planning authority at a later stage. I do not dispute that a good design may be achieved at reserved matters stage which responds to the characteristics of the site. I also note the appellant's comments that the proposed house would be innovative with many eco features with a high standard of architecture and appropriate materials. The appellant does not contend that the proposal meets any of the special circumstances identified in paragraph 55 of the Framework. At this outline stage and with indicative plans only I have no evidence before me that a suitable development would be achieved on the site.
18. Policy EQ6 requires all development to be well designed and of a high quality that responds positively to its environment and the challenge of climate change. As a consequence of their emphasis on design quality for new developments in sensitive locations, the local planning authority appears to have attached significant weight to the indicative plans even though all matters are reserved for future determination. I do not consider that the plans show an appropriate development for the site in terms of the bulk and massing, height, arrangement of openings and overall form. However, given that the plans are indicative only this matter has not been determinative in dealing with this appeal. Nonetheless, the introduction of residential built form on this site, which has a prominent countryside setting would be inappropriate.
19. On this issue I therefore conclude that the development would be harmful to the character and appearance of the area. Therefore, it conflicts with the design requirements of Policies EQ3 and EQ6 of the LP and the Framework.

Other matters

20. In support of the appeal my attention has been drawn to recent residential developments that have been permitted close to the site. However, I do not have full details of the circumstances that led to these proposals being accepted. Furthermore, they were approved before the adoption of the LP in

April 2016 and they do not represent a direct parallel to the current appeal. In any case I have determined the appeal on its own merits.

21. I have taken neighbours' comments into account; however, the matters raised have not led me to any different conclusion in this case.

Conclusion

22. For the above reasons and taking into account all mother matters raised I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR