

Appeal Decision

Site visit made on 6 September 2016

by Anthony Lyman BSC (Hons) DipTP MRTPI

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

Decision date: 22 September 2016

Appeal Ref: APP/N2739/W/16/3153205

Land South of Selby Road, North Duffield, Selby, North Yorkshire.

- 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 Mrs Sally Ginley against the decision of Selby District Council.
 - The application Ref 2016/0306/OUT, dated 22 March 2016, was refused by notice dated 19 May 2016.
 - The development proposed is an outline application with means of access and layout for approval (all other matters reserved) for the erection of four detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made in outline for five dwellings with all matters other than access and layout reserved for future determination. Before the application was determined, an amended layout plan was accepted by the Council. This reduced the number of dwellings to four. I will determine the appeal on the basis of the amended layout, as reflected in the description above.

Main Issue

3. The main issue to be considered in this appeal is whether the site is an appropriate location for development having regard to local and national planning policies regarding development in the countryside, and the effect on the character and appearance of the area.

Reasons

4. North Duffield is identified as a Designated Service Village under the Spatial Development Strategy set out in Policy SP2 of Selby District Core Strategy. The Policy accepts the need for limited additional residential growth in such villages that have a good range of local services. The Strategy confirms that development in the countryside, outside Development Limits, will be limited to, amongst other things, proposals such as the replacement or extension of existing buildings, and well designed new buildings that would enhance or maintain the vitality of rural communities.
 5. The appeal site comprises agricultural land currently used for grazing. It lies outside the defined development limits of the village, on the south side of the
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busy A163 which largely defines the southern boundary of the village. The appellant acknowledges that the proposed development of four detached dwellings would be within the open countryside, but argues that they would be in close proximity to the village's services and facilities.

6. Most of the village is located on the north side of the A163, which forms a distinct boundary between the settlement and the open farmland to the south. A very small amount of development exists on the south side of the main road, including a chapel, farm buildings and a modern development of four houses adjacent to the appeal site, known as Meadowgate. Nevertheless, approaching the village from the west, the attractive open countryside predominates and, although not a protected landscape or having special landscape value, it makes a positive contribution to the setting of the village. The proposed development in the open countryside would be contrary to Core Strategy Policy SP2.
7. The appellant states that the settlement development limits are currently under review by the Council, and that the existing boundaries *should be afforded limited weight in the determination of this appeal as they cannot be considered up-to-date*. I am not persuaded by this argument for the following reasons. The Council can demonstrate a supply of housing land in excess of five years, which has not been challenged by the appellant. Therefore, in accordance with paragraph 49 of the National Planning Policy Framework (the Framework), relevant policies for the supply of housing should be considered up-to-date. Until the review of allocated sites is completed, the development limits that seek to contain housing development to within village limits, as referred to in Policies SP2, remain relevant and up-to-date.
8. With regard to the impact on the character and appearance of the area, the development of four houses, said by the appellant to be up to 2.5 storeys in height, would appear as an incongruous projection of development into the countryside beyond the established development of the village. Alongside the Meadowgate development, the planning history of which I have not been made aware, the proposal would appear as a creeping encroachment of residential development along the south side of the A163. It would be visually intrusive in the relatively flat open landscape and would appear discordant with the defined southern edge and compact form of the village.
9. The development would be contrary to saved Policy ENV1 of the Selby District Local Plan which seeks a good quality of design that, amongst other things, does not harm the character of the area. It would also conflict with Core Strategy Policy SP19 that, amongst other things, requires development to have regard to local character, identity and context of its surroundings, including settlement patterns and the open countryside.

Conclusions

10. North Duffield is a settlement designated for further limited growth and, according to the Council, has extant approvals for over fifty dwellings within the village. It provides a range of facilities, and has some, limited public transport services. The proposed development would be close to these facilities, albeit on the opposite side of the busy A163, and would be in a sustainable location. The proposal would make a limited contribution to maintaining the Council's five year supply of housing land, and would satisfy the Framework's requirement to boost the supply of housing. Nevertheless, these benefits would be outweighed by the harm that the development would

cause to the character and appearance of the area, and the conflict with local and national policies that seek to protect the countryside.

11. For these reasons, the appeal is dismissed.

Anthony Lyman

INSPECTOR