

Appeal Decision

Site visit made on 25 October 2016

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FHE

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

Decision date: 18th November 2016

Appeal Ref: APP/E2001/W/16/3155639

Brigg Moor Cottage, Moor Lane, Stamford Bridge, North Yorkshire YO41 1HU

- 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 Peter Mahon against the decision of East Riding of Yorkshire Council.
 - The application Ref 15/03925/OUT, dated 23 December 2015, was refused by notice dated 29 March 2016.
 - The development proposed is described as the delivery of residential development on land to the south of Brigg Moor Cottage to incorporate existing access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters apart from access reserved for future determination. Plans submitted with the application show the position of the access point onto Moor Lane and the indicative internal access road leading to the proposed site. I have had regard to these in the determination of this appeal.
 3. The Council changed the description of application Ref 15/03925/OUT to 'Outline – Erection of dwelling (access to be considered)'. This is a more accurate description of the development which I have therefore used in the determination of this appeal.
 4. The Council advise that they no longer wish to defend the fourth reason refusal in respect of the effect of the proposed development on protected species. I therefore do not address this matter in the reasoning below.
 5. The Council's Decision Notice referred to policies within the East Yorkshire Borough Wide Local Plan and the emerging East Riding Local Plan. The Council adopted the East Riding Local Plan in April 2016, after the decision notice was issued, and consequently the policies contained within the East Yorkshire Borough Wide Local Plan are no longer relevant. As the Decision Notice referred to the relevant policies from both plans neither party has been prejudiced by this change in the planning policy position.
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Main Issues

6. The main issues are:

- Whether the proposal is a sustainable form of development having regard to the location of the site in the open countryside
- The effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Sustainable Development

7. The appeal site comprises the southern corner of a grass field located in open countryside. Access would be via the existing entrance to Four Oaks and Brigg Moor Cottage off Moor Lane which would then follow the eastern boundary of the field to the appeal site. In the immediate vicinity is a small cluster of detached dwellings close to the junction of Moor Lane and Moor Road. The settlements of Stamford Bridge and Full Sutton are located approximately 1.5km away.
8. The Council's approach to development within the countryside is set out in Policy S4 of the East Riding Local Plan (Local Plan). This policy, amongst other things, indicates that proposals for permanent dwellings for agricultural, forestry or other rural based occupational dwellings will be supported. Additionally, affordable housing, replacement dwellings and new dwellings of exceptional quality or of truly outstanding innovative design may also be supported. I have no evidence to indicate that the proposed development would meet any of the above stated exceptions in the policy.
9. Policies S1 and S2 of the Local Plan seek to promote sustainable development and address climate change. These policies, amongst other things, direct development to areas where there are services, facilities, homes and jobs, which reduces the need to travel and where it can be served by sustainable modes of transport. These policies generally accord with one of the core principles as set out in paragraph 17 of the National Planning Policy Framework (the Framework) which requires the planning system to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
10. The appeal site would occupy a relatively isolated position in the countryside being located in the corner of a field that is positioned to the south of the small cluster of existing dwellings. The appellant has identified facilities and services that are available within one mile of the site. However, I observed at my site visit that the appeal site is linked to such facilities by narrow country lanes that do not have the benefit of street lighting or segregated footpaths.
11. Although bus services have been identified in Stamford Bridge and Full Sutton, I have no evidence to indicate that the appeal site itself is within a convenient distance of public transport facilities. I recognise the appellant's view that walking or cycling along the country lanes is possible. However, given the distance involved and the lack of street lighting I agree with the Council that it is highly likely that the future occupants of the dwelling would need to use a private car to access local facilities and services, particularly during hours of darkness.

12. I also consider that the proposed dwelling would make a negligible contribution to enhancing or maintaining the vitality of the rural community as there are no facilities within the nearby cluster of dwellings on Moor Lane and Moor Road or a nearby village with facilities that it would help to support.
13. Taking these factors into account, the proposed development would be contrary to the Council's objectives of directing new residential development towards main settlements which have facilities and services to sustain new residents. As a consequence the limited accessibility to public transport provision there would be a reliance on the use of the private car to access services. As such, on the basis of the evidence submitted and my observations on site, I conclude that the proposal would amount to an unsustainable form of development.
14. Consequently, it would conflict with Policies S1, S2 and S4 of the Local Plan which, amongst other things, set out the types of development that would be acceptable within the countryside and seek to guide new development towards sustainable locations. It would also be contrary to one of the core principles of the Framework (paragraph 17).

Character and appearance

15. Although the appeal site is well screened by mature hedging, the proposed dwelling would occupy the southern extremity of a field that currently has an open character. Given the relatively flat topography of the surrounding locality it would be visible in longer distances views where it would appear as the encroachment of development into the open countryside.
16. Given its remote position away from the nearby small cluster of dwellings, I do not share the appellant's views that it would sensitively blend into the character of existing land uses. In my view, the proposed development would result in the creation of an isolated dwelling in the countryside that would erode the current open and rural character of the site.
17. I accept that the proposed dwelling could be designed to be in keeping with the local architectural vernacular and that there is no conclusive evidence to suggest that the existing hedgerows would be lost. Nevertheless, the proposed development would result in the urbanisation of this part of the countryside and would cause unacceptable harm to the character and appearance of the area.
18. I therefore conclude that the development would harm the character and appearance of the area and would be contrary to Policy S4 of the Local Plan. This policy, amongst other things, requires development within the countryside to respect the intrinsic character of the surroundings.

Other matters

19. I have taken into account the modest contribution that the proposed development would make to the supply of housing within the Borough. However, this does not outweigh the harm that I have found that would be caused to the character and appearance of the area from an unsustainable form of development.

Conclusion

20. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR