

Appeal Decision

Site visit made on 28 November 2016

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 15th December 2016

Appeal Ref: APP/M2325/W/16/3157840

Gorst Farm, Lodge Lane, Elswick, Lancashire PR4 3YH

- 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 Gorst Estates against the decision of Fylde Borough Council.
 - The application Ref 16/0102, dated 12 February 2016, was refused by notice dated 11 May 2016.
 - The development proposed is the demolition of existing barns and erection of 5 No. detached dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with the means of access to be determined at this stage. I have dealt with the appeal on this basis, treating the site plan which shows a layout for the site as indicative. However, I note that the description of development given on the application form states that the development would be for 5 detached dwellings.

Main Issues

3. The main issues in the appeal are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the settlement pattern for the area.

Reasons

Character and Appearance

4. The appeal site is a long narrow site that lies between Gorst Farmhouse and the access track leading to Selborne Farm. The site is occupied by a number of vacant barns which vary in age, size and materials, some silo bays, and areas of hardstanding, although at the time of my visit some of the barns had been demolished. A number of the barns had been granted permission for their conversion to other uses but it was agreed that these had not been implemented, and that their last use was for agricultural purposes. It is proposed to demolish the remaining barns on the site and to develop the site
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for housing. To this end I understand that recently outline permission¹ has been granted for 2 dwellings on the site.

5. The wider area is largely open countryside, with fields surrounding the site. This landscape is relatively flat and open, with the fields generally bounded by low hedges, or post and wire fences. There are some small woodland areas, and some isolated trees. Existing development comprises mainly agricultural buildings, and associated farmhouses. However, there is a short ribbon of development on the opposite side of the road that extends from the site towards Elswick, and a small garage /car sales unit on the same side of the road as the appeal site. Nevertheless these are physically separated from the village by open fields. The houses opposite are mainly detached dwellings set in reasonable size plots fronting the road.
6. I accept that the layout of the site is not to be determined at this stage, but given the relatively narrow nature of the site, if it is to accommodate 5 detached dwellings, it is highly probable that the layout would take a linear form, with at least some of the houses being set behind others. The proposal would therefore be likely to have a number of houses without a direct street frontage, and accessed by a long shared access drive. This would not only be out of character with the general pattern of development within the surrounding area, but would result in an uncharacteristic depth of residential development. This incongruous form of development would be highly visible on both the approach into and out of Elswick, where the site can be seen in open views across the intervening fields.
7. Whilst the barns, and the site in general, cannot be described as attractive, it is typical of a farmstead, and what one might expect to see in the open countryside. Whilst the footprint of 5 dwellings may be considerably less than the barns, houses are not normally regarded as contributing positively to the visual amenity of the countryside, in the way that agricultural buildings do. In addition, the introduction of garages, gardens and domestic paraphernalia would clearly mark the site as residential and not agricultural. Notwithstanding the fact that the appellant has suggested a condition to ensure the southern most part of the site is returned to pasture, the character of the site would be fundamentally altered, to the visual detriment of the open and rural character of the area.
8. The design of houses in the area varies and, whilst the appearance of the dwellings is not to be determined at this stage, I am satisfied that in this regard an acceptable scheme could be achieved. However, this does not overcome my other concerns regarding the visual impact of the proposal.
9. Consequently, I conclude that the proposed development would significantly harm the character and appearance of the area. Accordingly it would conflict with Policy HL2 of the *Fylde Borough Local Plan As Altered (adopted October 2005)* (FBLP) which requires that new housing development is compatible and in keeping with the character of the locality.

¹ Application Reference 16/0576

Effect on settlement pattern

10. The appeal site is located in open countryside as defined by the FBLP. In order to protect the character and appearance of the countryside both national and local policies seek to restrain new development in such areas unless it meets specific criteria. Policy SP2 of the FBLP sets out the circumstances when new development in the countryside is acceptable. It is no part of the appellant's case that the proposal would meet any of the criteria in this policy.
11. The *National Planning Policy Framework* (the Framework) sets out in paragraph 47 that to boost significantly the supply of housing, local planning authorities should be able to demonstrate a 5 year supply of deliverable housing sites. It is accepted by both main parties that the Council cannot do this, as the latest figures indicate that there is only a 4.8 year supply.
12. Although the shortfall in supply is not substantial, in the absence of a 5 year supply of housing land, paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In the light of this, Policy SP2, which seeks to control the supply of housing in the countryside, is out-of-date.
13. Paragraph 14 of the Framework states that where the development plan is absent, silent, or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. This does not mean that the policies are irrelevant, but that the decision maker must determine the weight that they should be given. In this case, as the shortfall in the 5 year housing land supply is not substantial, I consider that moderate weight can be given to these policies.
14. To conclude; the proposed development would conflict with Policy SP2 of the FBLP. However, in the absence of a 5 year housing land supply, this policy cannot be considered up-to-date.

Other Matters

15. The demolition of the barn adjacent to the road would improve the visibility at the existing access. However, although not proposed to be used to serve the development, as there is already an alternative access to the site with better visibility I give this little weight. It is accepted that the site can be developed without having any impact on the living conditions of other residents, but an absence of harm in this regard is a neutral factor.

Planning Balance and Conclusion

16. As outlined above, in the absence of a 5 year housing land supply, paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The

Framework (paragraph 7) states that there are three dimensions to sustainable development. In terms of the economic role the construction of new houses would provide some temporary work for local contractors, and spending by the new residents would be beneficial to the economy of the area. However, the effect of this small scale proposal would be limited.

17. The scheme would provide new housing, and it is suggested that a variety of different sized dwellings could be provided to accord with the findings of the latest Strategic Housing Market Assessment. This could help to maintain diversity within the local population. Although not within the settlement boundary, the site is in reasonable proximity to the limited services within Elswick which include a bus service, shop and 2 public houses. Whilst this is a benefit of the scheme, the contribution of 5 houses to housing delivery, and towards the maintenance of the vitality of local services would be small.
18. I have already concluded that that proposed development would harm the character and appearance of the countryside, contrary to the environmental dimension of sustainable development. In addition, despite the previous permissions for the conversion of some of the barns, as it is agreed that the buildings were last used for agricultural purposes, the Framework confirms that the site does not constitute previously development land, as the definition in Annex 2 excludes land that is or has been occupied by agricultural buildings.
19. Overall, the proposal would not make a significant contribution to either the economic or social dimension of sustainable development and would be inconsistent with the environmental dimension. Therefore, I consider that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, and so the proposal would not be sustainable development. As such the presumption in favour of sustainable development set out in paragraph 14 of the Framework does not apply.
20. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR