
Appeal Decision

Site visit made on 27 March 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 6th April 2017

Appeal Ref: APP/D0515/W/16/3165392

**Land north-west of The Ferns, Padgetts Road, Christchurch,
Cambridgeshire PE14 9PL**

- 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 Paul Russell against the decision of Fenland District Council.
 - The application Ref F/YR16/0472/O, dated 3 May 2016, was refused by notice dated 2 August 2016.
 - The development proposed is 2 dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all detailed matters reserved, apart from access. I have dealt with the appeal accordingly, taking the 1:500 layout plan submitted, showing two detached dwellings with attached garages and individual accesses onto Padgetts Road, as being illustrative. The site address is taken from the appeal form as the application omitted to state this was north-west of The Ferns.

Main Issues

3. The main issues in this appeal are:
 - Whether this would be a form and location of development supported under development plan policy;
 - The effect of the proposed dwellings on the character and appearance of the area;
 - The likely impacts of the proposal on biodiversity interests.

Reasons

Whether supported under development plan policy

4. The appeal site is located at the south-western end of the small Fenland village of Christchurch. From here, the village is mainly linear in character, with dwellings running north-east along Church Road, initially as frontage housing either side of the street but then including some small estates and development to more depth towards the junction with Upwell Road. From this
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junction there is further housing to the north mainly along Upwell Road and Crown Road.

5. The development plan comprises the Fenland Local Plan which was adopted in May 2014 (LP). Policy LP3 provides a spatial strategy and settlement hierarchy to focus the majority of development growth in the District's four market towns, a further but lesser amount in specific Growth Villages and a small level in defined Limited Growth Villages. In Small Villages, such as Christchurch, Policy LP3 states that development will be considered on its merits but will normally be of a limited nature. For housing this would normally be limited in scale to residential infilling.
6. Policy LP3, along with other policies, steers most new development to larger places that offer the best access to services and facilities, help reduce the need to travel and make the best use of existing infrastructure and previously-developed land. The LP was adopted after the publication of the National Planning Policy Framework (the Framework) in 2012. The strategy in Policy LP3 is consistent with the advice in the Framework, and particularly its core planning principle for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
7. Policy LP12 provides the development policy for rural areas where, for villages, this will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside. Policy LP12 cross-refers to Policy LP3 where, in Small Villages, only proposals for infill sites will be considered favourably.
8. The two dwellings proposed would front onto the B1100 Padgetts Road on its north-east side; close-to and just to the north-west of the Scott's Road and Church Road crossroads. Buildings occupy each corner of this crossroads from where the main part of the village stretches to the north-east along Church Road.
9. Although there are two dwellings already fronting Padgetts Road along this north-east side, including The Ferns which is immediately adjacent the appeal site, both dwellings are in plots set within the established line of the rear boundaries of development along Church Road. Unlike the established buildings around the crossroads, this proposal would amount ribbon development extending along the north-east side of the road into open countryside. The proposal would not be the development of a small gap between existing buildings and so would clearly not be infill development and conflict with Policy LP3 as a consequence.
10. Under Policy LP12, if a proposal within or, as in this case, on the edge of a village would increase the number of dwellings built or committed in the village since April 2011 by 10% or more, it should have demonstrable evidence of clear local community support. Such support should be generated via a thorough and proportionate pre-application community consultation exercise, if not a Neighbourhood Plan. If through such an exercise demonstrable evidence of support or objection cannot be determined, then Policy LP12 requires support from the Parish Council.
11. Based on the advice contained in the Council's Informal Guidance Note of December 2015, a publication consultation exercise had been carried out prior

to the submission of the application. A site notice had been displayed and community questionnaire sheets and the proposed plans sent to neighbouring properties. The appellant has produced an executive summary of the consultation exercise, covering the 11 responses; 7 in support and 4 against. However, details of the addresses of those consulted, copies of the responses and of the site notice have not been provided and the summary amounts to less than one side of paper. It would not meet the minimum requirements of the Council's guidance and would fail to comprise the thorough and proportionate pre-application community consultation exercise necessary to gain the support of Policy LP12.

12. The evidence is that the village has a school, church and community centre but no bus service or village shop. The proposal would not likely lead to further services being provided and consequently future occupiers of the proposed houses would be mainly dependent on private car use to access regularly required services. This would lend weight to the proposal being contrary to the objectives of Policy LP3 to steer most development away from smaller settlements lacking in services, and to the aim of Policy LP12 to restrict new housing in Christchurch to just a limited amount of infill development.
13. This proposal would not be infill development and there is not the demonstrable evidence of clear local community support for the addition of housing at the edge of the village as proposed. Consequently, this would not be the form and location of development supported under development plan policy.

Character and appearance

14. The proposal would extend beyond the existing boundaries of housing within the village and create a new spur of ribbon development, encroaching into open countryside. It would neither be an extension of existing linear development nor a development similar to that at The Croft, which is a small estate of housing within the centre of the settlement.
15. The extension of housing proposed along Padgetts Road would not be in keeping with the core shape and form of the settlement and cause harm to the character and appearance of its undeveloped rural setting, contrary to Policy LP12. By extending housing into open countryside this scheme would fail to make a positive contribution to the local distinctiveness and character of this area, which would conflict with Policy LP16.

Biodiversity interest

16. The appellant's checklist provides no evidence of likely adverse impacts on biodiversity interests. Therefore, the proposal would not be further contrary to policies LP16 and LP19 for this reason.

Conclusion

17. The Framework establishes that the purpose of the planning system is to contribute to the achievement of sustainable development; by performing economic, social and environmental roles that are required to be sought jointly and simultaneously.

18. The proposal would provide some limited social benefit in the provision of new housing, the construction and servicing of which offer some modest local economic benefits. However, this would not outweigh the environmental harm found to the character and appearance of the area and from permitting further housing in an area without reasonable access to services and facilities.
19. As a consequence this proposal would not contribute to the achievement of sustainable development and, having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR