
Appeal Decision

Site visit made on 6 June 2017

by Darren Hendley BA(Hons) MA MRTPI

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

Decision date: 22nd June 2017

Appeal Ref: APP/U2370/W/17/3170654

Willowdene, Carr Lane, Hambleton FY6 9DW

- 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 Dorothy Harrison against the decision of Wyre Borough Council.
 - The application Ref 16/00626/OUT, dated 12 July 2016, was refused by notice dated 14 November 2016.
 - The development proposed is an outline application for the erection of one dwelling, use of existing access to be determined.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is in outline form with all matters reserved for future consideration except for the means of access. Drawings showing an indicative site layout plan and site location plan were submitted with the application and I have had regard to these in determining this appeal.

Main Issues

3. The main issues are (a) the effect on the character and appearance of the area, and (b) if there is harm which arises under (a), whether this outweighed by the Council's housing land supply and other material considerations.

Reasons

Character and Appearance

4. The appeal site comprises an area of grassland that is bordered by the A588 and an associated footway. The boundary along the front of the site contains a hedge and an access. A hedge is also found on the side (north) boundary, beyond which is an open field, and then a dwelling. Willowdene, a two storey house, is to the south to the site, beyond which are a further two dwellings. A paddock is found the rear of the site.
 5. The site is located between the villages of Stalmine and Hambleton, where the pattern of development along the A588 comprises of open fields and undeveloped land, interspersed with isolated or small groups of dwellings. Land set further back on either side of the A588 also principally comprises of open fields, and the area in the vicinity of the site is pleasingly rural in
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- character. The site lies in countryside under the Wyre Borough Local Plan 1991 – 2006 (1999) (Local Plan).
6. The site is located well outside of the settlement limits of either Stalmine or Hambleton under the Local Plan. It contributes, with the field to the north, to the character of the countryside as undeveloped land and as part of a 'gap' in development between Willowdene and the next dwelling. The proposal would reduce this gap, and would thus serve to erode its role in maintaining the character of the countryside.
 7. The proposal would also extend the encroachment of development into the countryside along this stretch of the A588, with its proximity to Willowdene and the two further dwellings to the south. This would increase the amount of linear development, regardless of the eventual size and scale of the proposal. The contribution of the undeveloped character of the site to the countryside would be lost.
 8. More broadly, the sporadic pattern of built development would be increased between Stalmine and Hambleton, and this would further serve to erode the rural character of the area. Although the proposal may only be for one dwelling, there is already evidence along the A588 of how incremental development over a prolonged period has detracted from the rural character. This proposal would serve to increase this detrimental effect.
 9. The site is relatively unkempt, although this is a matter which could be addressed through maintenance and this does not alter my views on the harm that would be caused. I also consider the proposal would not complement its surroundings with the loss of the undeveloped nature of the site within this rural context.
 10. I conclude the proposal would cause significant harm to the character and appearance of the area. It would not comply with Policy SP13 of the Local Plan, which seeks to protect the inherent qualities and rural characteristics of areas designated as open countryside, because it does not conform to the types of development which may be permitted under the policy. It would also not comply with Policy SP14, which requires a high standard of design, with its effect on the local rural landscape that would arise from the loss of this land to a dwelling. I attach significant weight to Policies SP13 and SP14 because, whilst they pre-date the National Planning Policy Framework (Framework), they are broadly consistent with it.
 11. Furthermore, the proposal would not comply with paragraph 60 of the Framework in respect of requiring good design, as it would not promote or reinforce local distinctiveness. Whilst I attach very limited weight to the Wyre Council Local Development Framework Core Strategy Preferred Options (2012), due to this early stage of plan preparation, Policies CS2, CS7 and CS24 provide a similar approach to the Local Plan to the protection of character and appearance in countryside areas. As such, the proposal would also not comply with these draft policies.

Housing Land Supply and Other Considerations

12. The Council accepts it cannot demonstrate a five year housing land supply in accordance with paragraph 47 of the Framework. Paragraph 49 states that relevant policies for the supply of housing cannot be considered up to date if a

five year deliverable supply of sites cannot be demonstrated. In these circumstances paragraph 14 is to be applied, which means that where relevant policies are out of date, granting planning permission unless an adverse impact of doing so would significantly and demonstrably outweigh the benefits assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted.

13. The provision of one additional dwelling is unlikely to make a meaningful difference to housing land supply. It would also not be readily deliverable, as it is not a suitable location for the reasons I have set out. I attach only limited weight to this contribution to housing land supply as a benefit.
14. The site is an accessible location and adequate access can be provided off the A588. The site lies outside areas identified at risk of flooding, and would have no undue effects on the use of agricultural land in the area or the living conditions of occupiers of Willowdene. Ecological measures are limited to retaining hedgerows where possible and avoiding removal during the nesting period for birds. Although energy efficiency measures are proposed, no details have been provided beyond a description of general technologies that may be used. These factors are only neutral and therefore I consider they do not weigh in favour of the proposal.
15. In respect of the roles of sustainable development under paragraph 7 of the Framework, the economic benefits arising from the construction and maintenance of the single dwelling would be slight, and the limited contribution to housing land supply would only constitute a small social benefit. The proposal would conflict with the environmental role because it would not protect and enhance the natural environment.
16. I conclude that when assessed against paragraph 14 of the Framework, the adverse impacts caused by the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits. I have also identified the proposal is in conflict with the Framework in respect of design, and paragraph 56 is clear that good design is a key aspect of sustainable development. The proposal would not constitute a sustainable form of development, and the conflict with the Local Plan is not outweighed by the Framework or other material considerations.

Conclusion

17. I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR