
Appeal Decision

Site visit made on 22 August 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 11th September 2017

Appeal Ref: APP/J0405/W/17/3173277

Old Priory Farm, Bletchley Road, Thornborough MK18 2DZ

- 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 and Mrs Wilshere against the decision of Aylesbury Vale District Council.
 - The application Ref 16/02881/AOP, dated 2 August 2016 was refused by notice dated 26 October 2016.
 - The development proposed is described as 'demolition of the existing redundant outbuilding on the site which is to be replaced with residential development'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline form and is clear that all matters are reserved apart from Access and Layout. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - Whether the proposal would provide a suitable site for housing, having regard to the proximity of services and reliance on car based journeys.
 - The effect of the proposal on the character and appearance of the area.
 - The effect on highway safety.

Reasons

Policy context

4. The Council has referred to Policy GP35 in the Aylesbury Vale District Local Plan 2004 ('AVLP'). This policy refers to the detailed design and siting of development as opposed to location. Although the Council's policy predates the National Planning Policy Framework ('the Framework'), it is consistent with it insofar as the need to promote and reinforce local distinctiveness, that good design is indivisible from good planning and recognising the intrinsic character and beauty of the countryside. Nevertheless, in terms of location the Framework is a significant material consideration.

Suitable Site

5. The appeal site is part of a wider property known as Old Priory Farm. It includes a substantial 2 storey dwelling, associated outbuildings and other ancillary development including a ménage and tennis court.
6. The Framework, at Paragraph 55 advises that rural housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances, including the essential need for a rural worker to live permanently at or near to their place of work, or the development would re-use redundant or disused buildings and enhance the immediate setting.
7. Despite the presence of other development within the vicinity of the dwelling, it was evident from my site visit that the appeal site is remote from services and facilities. The village of Thornborough is technically within walking distance but provides a limited range of services including an infant school, post office and a public house. Access would be along an unlit and narrow rural road and it would not therefore be an attractive route for pedestrians especially in inclement weather. This is particularly the case for the school where it is doubtful parents would choose to walk down the part narrow, unlit section of the lane with children of a primary school age.
8. The appeal site would not therefore be accessible by a range of transport modes and future occupants would have no choice but to rely on private cars in order to access day to day facilities, services and attractions further afield. The Framework advises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas and although trips may not be long, the proposal would be in a functionally isolated location. Justification that residents in Thronborough already make trips by car does little to persuade me otherwise¹.
9. Furthermore, I have no evidence before me that the proposal would result in any meaningful enhancement or maintenance of the vitality of rural communities. To my mind, the aim of Paragraph 55 of the Framework is that new residential development should not be detached from being part of a viable and vibrant rural community, where there would be an immediate social network and ready access to some day-to-day services without the need to travel. That would not be the case here and the proposal would therefore conflict with the Framework insofar as it seeks to promote sustainable forms of transport, reduce greenhouse gas emissions and locate development where it will enhance or maintain the vitality of rural communities.

Character and appearance

10. The building to be demolished is located adjacent to the boundary with an open agricultural field and sits on the slope of a valley within a rolling agricultural and rural landscape. The existing building is of a steel frame and breeze block construction under a sheet metal roof with a large sliding door fronting onto an existing concrete hardstanding. It is typical of such rural buildings within this rural area associated with farms and substantial residential properties. Its form and appearance reflects its function for storage and stabling of animals and it is

¹ Paragraph 2.8 of appellant's statement.

sited some distance from the dwelling, beyond the established building line, further down the slope.

11. Whilst Appearance and Scale are reserved for future consideration, any future building is likely to be of a markedly different appearance to the simple rural vernacular of the existing. Notwithstanding other residential conversions at Priory Farm the appeal building is seen as a simple rural building. The proposal would be highly likely to be clearly perceived as a modern residential dwelling, which would be somewhat out of keeping with the prevailing character and appearance of the appeal site and this rural area. This could not be sufficiently mitigated by additional landscaping which would take a substantial amount of time to mature to have any effect.
12. Overall, the proposal would cause some modest harm to the character and appearance of the area. It would therefore conflict with Policy GP35 of the AVLP which, seeks to ensure that new development respects and complements the physical characteristics of its surroundings and the natural qualities and features of the area.

Highway safety

13. The site has 2 access points from the A421 a busy and straight rural road with a national speed limit. The proposal would utilise the existing 'secondary'² access opposite Bridge Street which currently gives access to Old Priory Farm. This access appears to be predominantly used for equestrian vehicles and to provide access to the outbuilding. There is little before me to demonstrate the number of existing movements via the access. To my mind, the number of vehicles movements associated with a new dwelling would be likely to be much greater than existing and the 2-4 movements put forward by the appellant.
14. Furthermore, the existing access had limited visibility and is opposite the junction of Bridge Street. The slowing and turning of vehicles would increase and this would interrupt the safe and free flow of traffic and increase the potential for conflict and an increased risk of collision which would be harmful to highway safety. Any condition to require necessary visibility splays would not address this due to the location and angle of the navigational road sign within proximity of the access and my findings above.
15. The fact that an existing access already exists in proximity of the access does not justify the proposal as this likely to be a historically established private access point. Whilst permission may well have been granted for the existing access, this would also appear to have been on the basis of a much lesser number of movements.
16. For these reasons, the proposal would cause harm to highway safety and would conflict with the Policy 4 of the Buckinghamshire Local Transport Plan 2016 – 2036 which, when taken as a whole and amongst other things seeks to ensure highway safety. The appellant refers to the highway impacts not being severe in the context of the Framework but my reading of Paragraph 32 of the Framework is in the context of the severe residual cumulative impact of the development, rather than highway safety considerations in themselves. The proposal would therefore conflict with the highway safety objective that safe and suitable access should be achieved.

² Paragraph 2.12 of appellant's statement.

Other Matters

17. My attention has been drawn to an appeal decision in 2012 in proximity of the appeal site³ which the appellant contends is similar. However, that proposal was for a conversion of an existing building and therefore the considerations and planning judgements are different. I also note that the Inspector in that appeal drew the same conclusions with regard to location and proximity of services. Furthermore, I have not been provided with the full details and cannot therefore be certain that it is directly comparable to the proposal before me. It therefore does not alter my view in relation to the main issues and in any event each case is determined on its own merits.

Planning balance and overall conclusion

18. There is some dispute as to whether the Council can demonstrate a 5 year supply of housing land and at the time of determination it could not. The Council now refer to a 5.8 year housing land supply⁴ although the appellant suggests the supply position is 4.7 years but could be as low as 3.4⁵. In any event, that the plan is time expired. On the evidence before me I am unable to be definitive in relation to the current housing land supply position and notwithstanding the age of the AVLP I have found the policies cited to be consistent with the Framework and should be afforded full weight.
19. Given it is a single dwelling, the proposal would provide minimal social and economic benefits. Set against this I have found conflict with an up to date development plan in terms of character and appearance and highway safety. I have also found that it would not be a suitable site in terms of location and would fail to fulfil the environmental and social dimensions of sustainable development.
20. Even if I were to conclude there is a shortfall in 5 year supply and that the development plan is absent, silent or relevant policies are out of date, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As such, the proposal would not represent sustainable development.
21. For these reasons, the proposal would conflict with the development plan, when taken as a whole and the Framework. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

³ APP/J0405/A/12/2176720.

⁴ Five year housing land supply interim position statement – October 2016.

⁵ Paragraph 1.4 of appellant's statement.