



Appeal Decision

Site visit made on 25 April 2019

by A. J. Boughton MA (IPSD) Dip. Arch. Dip. (Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 11 July 2019

Appeal Ref: APP/Y0435/W/19/3222186
Horseshoe Farm, North End, Ravenstone MK46 5AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Kirsten Johnston against the decision of Milton Keynes Council.
 - The application Ref 18/02645/FUL, dated 25 October 2018, was refused by notice dated 16 January 2019.
 - The development proposed is demolition of existing stables and aviary, with the erection of three dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council have confirmed that, on review, refusal reason 2 was written in error and refusal reason 3 is dispensed with following additional information provided. In addition, Plan MK was adopted by the Council on 20th March 2019 and now forms part of the development plan upon which this appeal is determined, superseding policies used in the determination of the application.
3. The Ravenstone Neighbourhood Plan (RNP) was made following a referendum on 2 May 2019.

Main Issues

4. Accordingly, the main issues are:
 - whether the proposal is suitably located having regard to the development plan and, in particular, policies of the Ravenstone Neighbourhood Plan, and
 - the effect of the development on the character and appearance of the area with particular regard to landscape character and the setting of Ravenstone.

Reasons

Location of the Proposed Development

5. With respect to the rural areas of the Borough, the development strategy of Plan MK places great emphasis on housing sites allocated through neighbourhood plans and makes no other provision.

6. The appeal site is in open countryside as defined by Plan MK and the adopted policies map in which development is restricted as set out Policy DS5. Policy DS2 (Housing Strategy) of Plan MK makes clear that housing development in rural areas is restricted to sites already identified in, or subsequently provided by, neighbourhood plans, or within defined settlement boundaries. Although proposed to the emerging neighbourhood plan, the appeal site was not included and remains outside the settlement boundary of Ravenstone as set out by Policy H1 of the RNP.
7. Consequently, because the site is not allocated for housing or within the settlement boundary, I conclude there is significant conflict with Policies H1 and H3 of the 'made' RNP. These provide for appropriate housing development within a defined settlement boundary for the village of Ravenstone. I also conclude that the proposal conflicts with Policies DS2 and DS5 of Plan MK which seek to make appropriate provision for housing that is, amongst other things, restricted in rural areas to that provided by neighbourhood plans or as windfall within settlement boundaries.

Character and Appearance

8. The appeal site abuts, but lies outwith, the eastern boundary of the small rural settlement of Ravenstone¹ that encloses the site on three sides as does the Ravenstone Conservation Area (RCA) which covers the majority of the settlement and slightly overlaps the application site. As the Landscape and Visual Impact Assessment (LVIA) submitted with the appeal confirms, Ravenstone is set lower than the surrounding land with ridges to the east (and west) and is largely contained by a valley-like topography.
9. To the east of the site is a large area of open and relatively flat arable land across the edge of which runs a public footpath (PF)² also at this point forming part of the 'Milton Keynes Boundary Walk'. Users of the footpath are currently afforded views toward the settlement in which the 'landmark'³ church tower of All Saints Parish Church is prominent above trees and roofs. Also visible is the thatched roof of Horseshoe Farmhouse and another dwelling next to the appeal site. Other than with respect to dwellings at 'The Close' users of the PF perceive the built form of the settlement as largely sitting within valley-like topography and partly masked by trees.
10. The LVIA identifies a moderate visual impact with respect to the selected viewpoints⁴ east of the site and proposes screen planting which would 'eventually....obscure any upper floors and roofs of the new development' reducing impact on landscape character over time as the development weathers and vegetation increases.
11. However, in my observations from several intermediate positions along the PF the visual impact of the development proposed would be greater than this suggests. Some of the proposed dwellings would appear to be located at a not-dissimilar level to the prominently located terrace of 4 dwellings at 'The Close' adjacent to the appeal site. Notwithstanding the existing boundary trees, from

¹ As defined in the RNP

² Public Footpath Ravenstone FP/003

³ The Milton Keynes Landscape Character Assessment (quoted by LVIA) identifies (LCA 5a) villages (including Ravenstone) as having landmark church towers or spires.

⁴ Viewpoints 1 & 2 at points close to 'The Close' where the PF starts and some 300m distant.

my observations without further screening, these parts of the development would also be prominent.

12. Sections of the appeal site fall within the line of sight towards the church tower from certain points along the PF; an impact of the proposed development upon which the LVIA does not comment.
13. In other respects, however, and taking into account the position of the development and the sensitive design employed, the development would not harm the character and appearance of the RCA or the setting of the nearby listed Horseshoe Farmhouse. The development would not be prominent in views within the RCA.
14. Overall, there would be local change to the landscape and a degree of visual impact, but the mitigation proposed renders these harms neutral in the long term. Although the mitigation proposed would interfere with views towards the 'landmark' church tower from those using the PF, taken in the round I conclude that whilst there is a degree of conflict with policies CD1 and CD2 of the RNP, which seek to achieve high quality design and to be sensitive to heritage assets, that conflict would not be sufficient to justify refusal.

Other Matters

15. The appellant has referred to the benefits of additional housing as a facet of sustainable development, but does not suggest that the circumstances set out in footnote 7 to paragraph 11(d) of the 2019 Framework apply. Consequently, full weight may be attached to the relevant policies of the recently-adopted development plan (including the RNP) as I have done.
16. The parties dispute whether the land falls within the definition of previously developed land. However, even if the land was previously-developed this would not be sufficient to outweigh the conflict with Policies H1 and H3 of the RNP and Policies DS2 and DS5 of Plan MK.

Planning Balance and Conclusion

17. My conclusions on the first main matter weigh significantly against the proposal to a degree which neither the relatively neutral conclusion on the second main matter nor the representations of interested parties in favour of the proposal can outweigh. I therefore conclude that the development would conflict with the development plan taken as a whole and, there being no other material considerations to guide otherwise, that the appeal cannot succeed.

Andrew Boughton

INSPECTOR