
Appeal Decision

Site visit made on 17 July 2019

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2019

Appeal Ref: APP/H0520/W/19/3227049

**Land East of Strawberry Field House, Warboys Road, Pidley,
Cambridgeshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant permission in principle.
 - The appeal is made by Mr David Hopkins against the decision of Huntingdonshire District Council.
 - The application Ref: 19/00420/PIP, dated 26 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is demolition of an existing Nissen hut and erection of a single dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was for permission in principle. The Planning Practice Guidance (PPG) states that the scope of permission in principle is limited to location, land use and amount of development¹. Accordingly, I have considered only the issues relevant to those 'in principle' matters in my determination of the appeal.
3. The new Huntingdonshire's Local Plan to 2036 (2019) (LP) has been adopted since the Council issued its decision. This supersedes the Huntingdonshire Core Strategy (2009). Renumbered Policies LP9, LP10, LP11 and LP12 of the LP accord with the earlier version of the corresponding policies referred to by the Council in its Officer Report. Moreover, both parties have provided comments to the appeal in the light of the new LP. Accordingly, in my assessment I have regard to the relevant policies in the LP.
4. The address in the banner heading above is taken from the appeal form as it is more precise than that shown on the application form.

Main Issue

5. The main issue is whether the appeal site would be a suitable location for housing, having regard to the effect of the proposed development on the character and appearance of the area.

¹ Paragraph Reference ID: 58-012-20180615.

Reasons

6. Whether the appeal site is within the built-up area (BUA) of Pidley or the countryside is a matter of dispute between the main parties. The appellant considers the former to be the case, and the Council the latter.
7. Policy LP9 of the LP does not provide a settlement envelope for the built-up area (BUA) of the Small Settlement of Pidley, and there is no such boundary before me in a Settlement Design Statement or Parish Plan. As such, whether the appeal site is within the BUA is a matter of planning judgement, informed by the Built-up Areas definition in the LP. This definition is 'a distinct group of buildings that includes 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area'.
8. The appeal site is situated within an approximately wedge-shaped area of land which is located to the rear of dwellings which face onto Warboys Road and Oldhurst Road. The wedge is demarcated by shrubs and trees on its north-west and south-west boundaries, and by fencing and hedging along the rear boundary line of the aforementioned dwellings. The south-western boundary of the appeal site extends to the edge of the wedge.
9. A bungalow dwelling conversion² and a Nissen hut are situated within the wedge, and dwellings along Warboys Road and Oldhurst Road are visible from the appeal site. There is an access track from Warboys Road to the appeal site. However, the wedge is largely free of buildings and open in character, comprising mainly grassland with some trees, and patches of scrub and taller meadow scattered within it.
10. Beyond the wedge and an area of grassland to the south-west lies farmland. Moreover, the bungalow and Nissen hut read 'on the ground' as 'outlier' buildings which are separated by green buffer space from the main mass of buildings. The above factors together lead me to find that the appeal site is recognisably within a wedge of land which forms part of a green buffer area between the linear development along Warboys Road and Oldhurst Road, and the farmed land beyond.
11. The buffer has landscape value through providing relief from residential development and associated domestic paraphernalia, next to the edge of the settlement. Moreover, the guidance table under paragraph 4.85 of the LP's Built-up Areas definition excludes green buffer spaces with meadow and habitat elements such as those within the buffer. The above factors together lead me to find that the appeal site is outside the BUA, in a buffer area between the latter and the open countryside.
12. The site is located next to a residential conversion and a short walk from Warboys Road. Therefore, the site is accessible to the community and limited range of services in the settlement. Accordingly, with reference to the Braintree judgement³ and subsequent Court of Appeal judgement⁴, the proposed dwelling would not be 'isolated' in terms of paragraph 79 of the National Planning Policy

² Planning permission 16/01795/FUL.

³ Braintree District Council v Secretary of State for Communities and Local Government & Ors [2017] EWHC 2743.

⁴ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610.

Framework. In a functional sense the proposal would therefore be well-related to the BUA.

13. Policy LP9 of the LP allows for the possibility of development on land which is well-related to Pidley's BUA, if it accords with, amongst other things, Policy LP10's requirement for development in the countryside to recognise the intrinsic character and beauty of the countryside. Policy LP11 of the LP sets out that a proposal should, amongst other things, respond positively to its context. Policy LP12 of the LP states that new development should contribute positively to the area's character and identity. As the appeal site is within a buffer area rather than the wider farmed countryside beyond, I consider that the proposal falls to be assessed under Policies LP11 and LP12 rather than LP10.
14. The proposal would entail removal of the Nissen hut. However, a new-build dwelling would replace it with a building of greater permanence. Moreover, the domestic appearance of the building, landscaping and paraphernalia including vehicles would, in combination with the recent adjacent residential conversion, have an urbanising influence on the buffer area.
15. As the application seeks only permission in principle at this stage, the layout and detail of the proposed dwelling and garage are not before me. However, from what I saw during my site visit and the aerial view, it is evident that the proposal would erode the spaciousness and verdancy of the buffer, viewed from the adjacent dwelling, the access track off Warboys Road and dwellings which back onto the buffer area. Furthermore, it would promote a residential pattern against the prevailing grain of linear development along Warboys Road and Oldhurst Road. Together, these factors would detract from the local character of the western edge of Pidley, and its identity as a small settlement in a rural setting.
16. I appreciate the appellant's intention to screen views of the proposed development with landscaping, to be detailed at technical details stage. However, it is likely that substantial boundary treatments to screen the proposed development would erode the spaciousness which is a distinctive characteristic of the buffer area. It is accepted that the proposal's impact on middle and long-distance views from countryside to the north-west, west and south-east would be minimal. However, the adverse localised impact on the character and appearance of the western edge of Pidley, as described above, would be significant.
17. It is suggested that the proposal would be infill development. However, the majority of the site perimeter is bounded by land which is free from buildings. Moreover, most of it lies beyond a line from the southern corner of the boundary of the property on Warboys Road situated north of the access track, to the westernmost residential boundary of dwellings along Oldhurst Road. The appellant's reference to development at Church Farm Close and Pond Close, to the north-west, is noted. However, this is separated from the site by a substantial stretch of countryside and, does not form part of a recognisable continuum of development along the south side of Warboys Road.
18. I therefore conclude that the site would not be a suitable location for housing, having regard to the character and appearance of the appeal site and its surroundings. As such, the development would conflict with Policies LP11 and LP12 of the LP. Together the policies seek to ensure that development complements local character.

Other Matters

19. Following adoption of the new LP, the Council's housing land supply policies are up to date. Moreover, there is not evidence before me of a deficiency in deliverable housing land supply in the district. Accordingly, the 'tilted balance' is not engaged.
20. It is recognised that the proposal would provide an additional dwelling, with associated socio-economic benefits during and after construction. However, given the scale of proposed development, the planning benefits would be modest, and would not outweigh the harm identified.

Conclusion

21. For the reasons given above, I conclude that the appeal should be dismissed.

William Cooper

INSPECTOR