



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: 13th September 2019

Appeal Ref: APP/H0520/W/19/3226966

Land north east of Gloucester Barn, Fen 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: 19/00115/PIP, received on 21 January 2019, was refused by notice dated 18 March 2019.
 - The development proposed is up to 3 dwellings.
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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). Policies LP9, LP10 and LP12 of the LP accord with the earlier version of the corresponding policies listed by the Council in its Officer Report, at the time of its decision. Moreover, the main parties have had opportunity to provide comments to the appeal following the adoption of the new LP. Accordingly, in my assessment I have regard to the relevant policies in the LP.

Main Issue

4. 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.

Reasons

5. 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.

¹ Paragraph Reference ID: 58-012-20180615.

6. Policy LP9 of the LP does not provide a settlement envelope for the 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'.
7. The appeal site comprises an open, grassed area. The site is bounded to the north by a tree belt which adjoins a golf course. To the south is land with a metal storage shed, materials and vehicles on it.
8. A strip of land, free of buildings and much of it grass or earth, runs west-to-east from the boundary of The Hay Barn, to the eastern boundary of the appeal site. This strip stretches between the tree belt and buildings which front onto, or are accessed off, a stretch of the north side of Fen Road. As such, the site lies at the eastern end of a recognisable buffer area - comprising the strip of land of spacious character described above and the adjoining tree belt - that is located next to the golf course, which in turn leads to farmed land.
9. In landscape terms, the buffer with its combination of spacious and verdant elements, softens the edge to the northern part of Pidley, and contributes to the rural setting and identity of the settlement. Moreover, the guidance table under paragraph 4.85 of the LP's Built-up Areas definition excludes buffer spaces with agricultural land 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.
10. The site is near other residential and business properties, adjoins Fen Road and is a short walk from Warboys Road. Therefore, the site is accessible to the community and limited range of services in the settlement. In a functional sense the proposal would therefore be well-related to the BUA.
11. 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. Paragraph 127 of the National Planning Policy Framework² (the Framework) requires development, amongst other things, to be sympathetic to local character, including the landscape setting. 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 Policy LP12 rather than LP10. Moreover, paragraph 127 of the Framework is engaged.
12. The addition of new buildings of domestic appearance, landscaping and paraphernalia including vehicles would encroach into, and have an urbanising influence on, the buffer area. The presence of up to three dwellings on the site would intensify this impact.
13. As the application seeks only permission in principle at this stage, the layout and detail of the proposed dwellings are not before me. It is acknowledged that

² Published on 19 February 2019.

views of the site would be contained to some extent by the tree belt and the fenced storage area to the south. Nevertheless, the site is an important contributory piece of the buffer, situated with some prominence, fronting onto Fen Road near the north-eastern entrance to Pidley. From what I saw during my site visit and the aerial view, the proposal would erode the spaciousness of the buffer, viewed from Fen Road, the site and other properties in the vicinity.

14. Moreover, the eastern part of Pidley - adjoining the stretch of Fen Road which runs between the easternmost pair of semi-detached houses opposite Richmond Lodge and the tree belt - is characterised by development on one side of the road, with a substantial proportion of land free of buildings, including the eastern end of the buffer in which the appeal site is located. This is in contrast to the increasingly 'two-sided' pattern, on both sides of the street, which is emerging at the western end of Fen Road, considering existing development and other schemes with planning permission which are brought to my attention.
15. The above factors, in combination, result in a more spacious and verdant feel, which distinctively contributes to the character of the eastern part of Pidley. Within this context, the proposal would - in combination with the new and existing dwellings on the opposite side of Fen Road from the appeal site - introduce a pattern of development on both sides of the road. This would be against the grain of the eastern part of Pidley.
16. Together, the above factors lead me to find that the proposal would detract from the local character of the northern and eastern edges of Pidley, and its identity as a small settlement in a rural setting.
17. My attention is drawn to a number of planning permissions and appeals on other sites. However, they differ from the proposed development in that they are located outside the buffer strip described above. Moreover, most of the other schemes further differ in that they are either conversions rather than new-build, front onto Fen Road or are on the other side of Fen Road. Therefore, the other schemes lack equivalence to the proposal which is before me. Moreover, the proposal has its own setting and circumstances, and I assess it on its own merits.
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 proposed development would conflict with Policy LP12 of the LP and paragraph 127 of the Framework, which together 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 up to three additional dwellings, 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