



Appeal Decision

Site visit made on 3 September 2019

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 18th October 2019

Appeal Ref: APP/N2739/W/19/3230633

Main Street, Great Heck, Goole DN14 0BQ

- 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 Mr Steven Fitzsimmons against the decision of Selby District Council.
 - The application Ref 2018/1189/FUL, dated 28 September 2018, was refused by notice dated 14 May 2019.
 - The development proposed is the erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) The principle of development within the countryside.
 - (ii) The effect on the character and appearance of the area.

Reasons

3. The appeal site is located in the village of Great Heck, which has one main street with the majority of development along this frontage. The plot lies to the rear of the existing houses fronting onto Main Street and is part of the existing stables complex. This consists of a large hard standing area for car parking and a selection of single-storey stables and workshops. Vehicular access from Main Street would be via the existing driveway (Booty Lane).
4. The land to the rear of the stables and the proposed development site is presently used as grazing paddocks for horses. These paddocks are within open countryside and extend down to the raised tow path and the Aire and Calder Canal at the bottom of the appellant's land.
5. The proposal is to construct a single storey, 3-bedroom bungalow on the paddock behind the existing workshop and to the side of the parking area. The building would be constructed in materials that are sympathetic with the village and local area.

Principle of Development Within the Open Countryside

6. It is evident that this bungalow would be outside of the Local Planning Authority's (LPA) defined development limits for the village of Great Heck and

is therefore considered as open countryside. This is identified in The Selby District Local Plan (SDLP) 2005. Policy SP2a (c) of the Selby District Core Strategy (SDCS) (2013) states that Development within the open countryside will be restricted and follow the Spatial Development Strategy.

7. The proposed development does not adhere to any of the forms of acceptable development in the countryside as listed in SP2a (c). Therefore, this development would result in the erosion of the open countryside due to building outside of the defined development limits. I acknowledge that there is some development behind the street frontage, but this is limited to commercial and ancillary use by existing dwellings and not residential properties.
8. Failure to adhere to this principle of development would undermine the Spatial Development Strategy and set an unacceptable precedent regarding development in this rural area. The cumulative effect of additional residential development would lead to a detrimental change to the character of the village from open countryside to one which is more urbanised.
9. I have taken into consideration that the construction of a new dwelling would bring some economic and social benefits. These include construction jobs, increased local spend and a new home boosting the supply of housing. However, these are modest due to the extremely small scale of the development. Therefore, I do not find that the benefits negate the principle of no development in the open countryside or represent a compelling precedent.
10. This proposed development therefore conflicts with the District's Spatial Development Strategy as set out in Policy SP2A (c) of the SDCS and would set a harmful precedent in allowing future development of the open countryside. This policy sets out the principles of development within the District.

Character and Appearance

11. The village has a varied character with no designations and no adopted design code or Neighbourhood Plan. I acknowledge that the new single storey dwelling would be located behind the street frontage, however, it would be situated amongst existing buildings associated with the stables. Furthermore, it would not dominate or be incongruous to the local area due to its modest size and sympathetic design.
12. In addition, the proposed property would only be visible from the canal and canal towpath. The distance from the canal to the proposed bungalow is considerable, affording only distant views of this proposed dwelling, and then only when adjacent to the appellant's boundary. Furthermore, this is an extremely quiet area and it was evident that there was little pedestrian or canal traffic.
13. I therefore conclude that this bungalow would not have a significant detrimental impact on the character and appearance of the local area. Consequently, it complies with Policies ENV1 of the Selby District Local Plan, and Policies SP18 and SP19 of the SDCS and the National Planning Policy Framework. These policies aim to protect and enhance the natural and manmade environment through high quality design.

Conclusion

14. I have found that the proposal would not result in significant harm to the character and appearance of the local area. However, such an absence of harm does not outweigh the detrimental effect of the proposal, in regard to the principle of development of open countryside and the unacceptable precedent this would set.
15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

D Hilton-Brown

INSPECTOR