



Appeal Decision

Site visit made on 1 November 2019

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2019

Appeal Ref: APP/H0520/W/19/3233872

Land to the south and west of 69 The Highway, Great Staughton, Cambridgeshire PE19 5DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Gerald Day against the decision of Huntingdonshire District Council.
 - The application Ref 19/00452/PIP, dated 4 March 2019, was refused by notice dated 25 June 2019.
 - The development proposed is described as "Permission in Principle application for the demolition of storage buildings and the erection of 4 no dwellinghouses".
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Decision

1. The appeal is allowed and planning permission in principle is granted for the demolition of storage buildings and the erection of 4 no dwelling houses at land to the south and west of 69 The Highway, Great Staughton, Cambridgeshire in accordance with the terms of the application, Ref 19/00452/PIP, dated 4 March 2019.

Preliminary Matters

2. This is an application for permission in principle. As such, no definitive details have been provided regarding the layout or appearance of the proposed dwellings. 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 description of the development as stated in the fourth bullet point in the banner above is as agreed with the Council following its amendment from seven dwellings to four dwellings. Furthermore, the parties also agree that the development of two dwellings as referred to in the Council's decision notice is also an error and should refer to four dwellings. I have therefore considered this appeal on that basis.

Main Issue

4. The main issue is whether the appeal site is a suitable location for housing having regard to the character and appearance of the appeal site and its surroundings.

¹ Paragraph Reference ID: 58-012-20180615 Revision date 15 06 2018

Reasons

5. The Council state that as the site lies beyond the Small Settlement of Great Staughton, it is classified as being within the countryside. Policy LP9 of the Huntingdonshire District Council Local Plan to 2036 adopted May 2019 (the Local Plan) states that development on land that is well related to the built-up area of a Small Settlement may be supported where it accords with the specific opportunities allowed for through other policies of the Local Plan. Policy LP10 of the Local Plan states that development within the countryside will be restricted and development must, amongst other things, recognise the intrinsic character and beauty of the countryside. This is consistent with paragraph 170 b) of the National Planning Policy Framework which seeks similar aims.
6. Paragraphs 4.80 - 4.84 of the Local Plan define a 'built-up area' as one that is a distinct group of buildings that includes 30 or more dwellings. The village of Great Staughton clearly sits within that definition. The Local Plan's definition of a 'built-up area' continues by stating that land that relates more to the group of buildings than to the surrounding countryside is also considered to form part of the built-up area. The Local Plan also provides a table² (the table) that sets out those areas that will be excluded from the definition of a built-up area which includes areas of meadow.
7. The appeal site forms a parcel of land that is mainly laid to grass and contains a prefabricated garage along with two existing single storey buildings that have a lawful B8 (storage or distribution) use. To the north of the site are existing dwellings arranged in a linear manner that face onto The Highway. To the east and west of the appeal site are additional dwellings that have been developed behind the frontage linear development to the north which has created an area of in-depth development that the site sits between. The site is bound to the east, south and west by existing landscaping, although it is weaker on its southern boundary. The site also contains a bund and piles of rubble. These features lend the character of the site a clear and distinct difference when compared to the more open and spacious character of the countryside which exists to the south of the site.
8. Thus, the character of the appeal site is largely consistent with that identified within the table which states that pockets of undeveloped land that is well contained by existing hedgerows or tree belts and whose character is influenced by the buildings such that it is not perceived to be part of the surrounding countryside but relates primarily to the built form of the settlement. In such circumstances, small parcels of land are considered to offer opportunities for organic growth of settlements.
9. In this particular instance, given the use of part of the site for commercial purposes, the Council's acceptance of a single dwelling to the north of the site and its overall character as described above, leads me to conclude that the site is better related to the built-up area of Great Staughton than the countryside to the south. Moreover, given that the development would be of a limited scale, its effect on the rural character and appearance of the area would also be constrained to the immediate area. I am not persuaded the development of four dwellings into the site, that utilises an existing access, would have a material and harmful impact on the character and appearance of the area.

² Table at pages 53-55 of the Local Plan

10. Furthermore, given the site specific constraints that I have identified at the appeal site, I am also not persuaded that the development would place pressure on every piece of land to be developed as stated by the Council. Moreover, it must be accepted that every planning application must be considered on its own merits which is one of the fundamental principles that underpins the planning system. In addition, although the Council refers to the land as a meadow, these areas are only excluded from development where the character of the land primarily relates to the countryside. For the reasons already rehearsed, I have found that the land relates better to the built-up area of Great Staughton.

Other Matters

11. Concerns have been raised regarding the access and highway safety, along with the presence of bats in the area and the effect of the development on hedges and trees. However, I am mindful that these are not matters which would fall within the scope of consideration for the first stage of the permission in principle consent route. These are all matters which will need to be addressed as part of the technical details consent, the second stage of the process where the detailed development proposals are assessed.
12. I also acknowledge that the inspector that determined the development at 63 The Highway³ considered the site to be infill with surrounding land, which includes the appeal site, to be agricultural land. The Council's delegated report also considers the loss of Grade 3 agricultural land. However, there is no evidence before me to suggest that the land is in active agricultural use and did not appear to be at the time of my visit.
13. I have also had regard to the contention that the boundaries of the appeal site have been shown inaccurately on the submitted plans and include land not within the ownership or control of the appellant. However, whilst there is no detailed or definitive evidence presented to demonstrate this to be the case, in any event for the purposes of the assessment of an application for permission in principle, matters related to the ownership of the land would be separate to and would not ultimately influence the assessment of the planning merits of the proposal.

Conclusion

14. The Council accepts that the PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle⁴, whose terms may only include the site location, the type and amount of development. Nevertheless, it has suggested a number of informative. However, I do not consider these possible for the same reasons as presented within the PPG
15. Thus, for the reasons given above, and having regard to the development plan when read as a whole, the appeal should be allowed.

Graham Wyatt

INSPECTOR

³ APP/H0520/A/06/1197307 dated 29 December 2006

⁴ Paragraph 020 Reference ID: 58-020-20180615 Revision date 15 06 2018