
Appeal Decision

Site visit made on 14 July 2020

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Appeal Ref: APP/D0515/W/20/3245490

31 Crooked Bank, Wisbech PE14 0BB

- 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 & Mrs R O’Gorman against the decision of Fenland District Council.
 - The application Ref F/YR19/0828/F, dated 9 September 2019, was refused by notice dated 12 November 2019.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide a suitable site for housing, having particular regard to the accessibility of local services and facilities, the development plan and national policy;
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Access to Services and Facilities

3. Policy LP3 of the Fenland Local Plan (2014) (LP) LP defines the settlement hierarchy. It directs development to within larger specified settlements. Outside of those specified settlements or ‘elsewhere’ it limits development to that which is demonstrably essential where Policy LP12 of the LP sets out the circumstances in which new dwellings in the countryside or ‘elsewhere’ will be permitted.
 4. The appeal site is within a small group of dwellings, farmsteads and enterprises known as Begdale. It is not within any of the settlements specified in Policy LP3 of the LP. There is also no substantive evidence before me which demonstrates that the specific circumstances exist to justify a new dwelling ‘elsewhere’ as required by Policy LP12 of the LP. I must therefore conclude that the proposed development is in direct conflict with Policies LP3 and LP12 of the LP.
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5. Paragraph 78 of the National Planning Policy Framework (the Framework) makes clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, paragraph 79 states decisions should avoid the development of isolated homes in the countryside. Therefore, having regard to the appeal decisions¹ and judgement² put before me, I find the proposed dwelling being within a group of other dwellings and buildings in Begdale would not be isolated.
6. One new dwelling would be a social benefit to the area. Furthermore, new customers and potential employees for local businesses and services and the construction of the development would also generate economic benefits. However, given the scale of development these combined benefits would be modest. Therefore, without specific evidence to the contrary I find the proposal would have a negligible effect on the vitality of the rural community of Begdale or the vitality of those nearby such as Elm.
7. Furthermore, whilst I acknowledge there are some services, facilities and employment opportunities³ nearby, these do not include healthcare or education. Overall without any substantive evidence to the contrary it seems to me that Begdale and its immediate surroundings contain only limited services, facilities and employment opportunities. Moreover, I am not provided with any substantive evidence which allows me to fully assess access to bus services or the frequency of those services connecting to larger centres. I also note many of the roads in the area do not benefit from footpaths or street lights.
8. Thus, based on the evidence before me I find that future occupiers of the proposed dwelling would have limited transport choice other than to rely on private motorised transport to access services, facilities and employment. Whilst one new dwelling would only give rise to a small number of trips, private motorised transport is the least sustainable transport mode and the proposed development would still therefore result in environmental harm. I accept the travel circumstances of any future occupants of the proposal would be similar to those experienced by many existing residents living in the area. However, this does not justify the proposal.
9. Therefore, whilst recognising the overall national objective to boost the supply of housing, the combined benefits of the scheme are still relatively modest such that they are outweighed by the environmental harm arising from the dependence on the private car and development in the countryside. The proposed development would not therefore amount to sustainable development when considered against the Framework as a whole.
10. For these reasons the proposed development would not provide a suitable site for housing, having particular regard to the accessibility of local services and facilities. It would therefore be in conflict with Policies LP3 and LP12 of the LP and the Framework which taken together seek to ensure a sustainable pattern of development.

¹ Appeal Decisions APP/D0515/W/20/3201780 & APP/D0515/W/20/3201560

² Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610

³ Including Little ranch Leisure & The Orchard Tea Room and Farm shop

Character and appearance

11. Crooked Bank is a narrow lane on the edge of a group of sporadic and informally arranged dwellings, agricultural buildings and commercial properties next to open countryside. Overall, the area has a spacious, rural edge of settlement character and appearance.
12. I note the character and pattern of the built development in the area is varied. I also acknowledge the proposed development would sit alongside the existing dwelling at No 31 Crooked Bank and would be viewed alongside a commercial building and domestic gardens as part of a wider group of buildings and Begdale.
13. However, even though single storey with a relatively low ridge height, the substantial four bed dwelling would occupy a relatively large L-shaped footprint significantly increasing the bulk of domestic development on this part of Crooked Lane. The erosion of space would be noticeable from the countryside to the west and when passing by on Crooked Lane.
14. Consequently, I find the proposal would have an urbanising effect on the area harming it's overall spacious, rural edge of settlement character and appearance. The proposal would therefore conflict with Policies LP12 and LP16 of the LP which aim to ensure good design and safeguard the local character of an area.

Conclusion

15. For the reasons set out above, having had regard to all other matters raised, I conclude that the scheme would not accord with the development plan and the appeal should therefore be dismissed.

L Fleming

INSPECTOR