



Appeal Decision

Site visit made on 21 July 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2020

Appeal Ref: APP/H0520/W/20/3251750

Land south of 436 Herne Road, Ramsey St Marys PE26 2TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr J Clarke against the decision of Huntingdonshire District Council.
 - The application Ref 19/01653/OUT, dated 19 August 2019, was refused by notice dated 2 December 2019.
 - The development proposed is described as an "outline application, all matters reserved for four new residential dwellings".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline form with all matters reserved for future consideration. The appellant has provided an indicative layout which I have treated as illustrative for the purposes of this appeal.
3. The Council's decision notice refers to Policy LP 31 of the Huntingdonshire District Council Local Plan to 2036 (the Local Plan). However, this Policy primarily relates to Trees, Woodland, Hedges and Hedgerows, none of which exist at the appeal site. As such, I do not find Policy LP 31 of the Local Plan relevant to my assessment of the main issues in this appeal.

Main Issues

4. The main issues are:
 - whether the appeal site is an appropriate location for the proposal having regard to the development plan and its effect on the character and appearance of the area; and,
 - ecology.

Reasons

Location and Character and Appearance

5. The appeal site forms a parcel of agricultural land that lies between existing dwellings. The area has a distinct rural quality that is reinforced by the arrangement of scatterings of dwellings interspersed with pockets of open land and agricultural fields. The area has a pleasant spacious and verdant quality, and

despite the presence of other dwellings in the vicinity, the appeal site better relates to its rural surroundings to which it makes a positive contribution.

6. Policy LP 9 of the Local Plan identifies Ramsey St Mary's as a Small Settlement. Development within the built-up area of a Small Settlement will be supported where the proposal is sustainable in relation to the level of service and infrastructure provision within that settlement. However, the appeal site lies some 1.7km to the south of the Small Settlement of Ramsey St Marys, and despite the presence of dwellings within its immediate vicinity, for the purposes of planning policy it is located within the countryside. Policy LP 10 of the Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of the plan. Such opportunities would assist the rural economy (LP 19), provide homes for rural workers (LP 20), assist tourism and recreation (LP 23), protect local services and community facilities (LP 22) as well as considering rural exception housing (LP 28). None of these opportunities have been advanced by the appellant.
7. I acknowledge that the site is adjacent to a bus stop and that the Small Settlement of Ramsey St Marys provides a range of facilities that would support day to day living, such as a shop with a post office, a pub and a primary school. However, the supporting text to Policy LP 9 at paragraphs 4.101 – 4.106 of the Local Plan recognises that the opportunities for development will be within the built-up area of a Small Settlement. In addition, the table at pages 53-54 of the Local Plan also specifically relates to individual plots and minor scale development within a built-up area. Therefore, as the appeal site is some distance from Ramsey St Marys, it is not within its built-up area and cannot be considered to be well related to it either.
8. Furthermore, while the Local Plan states that a built-up area does not need to be a single contiguous area, the site does not meet its definition which requires a built-up area to contain a distinct group of buildings that includes 30 or more homes. Moreover, although the appeal site is not isolated and has residential development on either side, it has a clear physical relationship with the adjoining agricultural land and not the built-up area of Ramsey St Marys. This is consistent with the table at pages 53-54 of the Local Plan which specifically excludes agricultural land from the definition of a built-up area, where the character of the land primarily relates to the countryside.
9. Turning to the effect of the development on the character and appearance of the area, the proposal seeks to erect four dwellings on the land with associated parking and garden areas. Whatever its final form, the four dwellings and associated accesses would result in the loss of undeveloped countryside. The development would suburbanise the site, eroding the open and spacious qualities of the area to the detriment of its character and appearance. .
10. Furthermore, it is also necessary to consider the visual impacts of the residential use such as the vehicle movements and parking associated with the development, along with fencing, domestic cultivation and items such as garden furniture and washing lines for each new dwelling which would add to the suburbanising effect. This harm would be clearly visible from Herne Road and the surrounding properties
11. Thus, the site is not within an appropriate location for the development and would result in harm to the character and appearance of the area. It would be in conflict with Policies LP 9, LP 10, LP 11 and LP 12 of the Local Plan and paragraph 127 of the National Planning Policy Framework (the Framework) which seek, amongst other things, to direct development to sites that are within or well related to built-up areas of the District and to ensure that developments respond positively to its context and contributes to the area's character.

Ecology

12. From my visit, I noted that the land to be developed was being put to agricultural use which leads me to conclude that there is potential for protected species to be present at the site, which may be adversely affected by the development. As a survey has not been undertaken, it is not possible to confirm that protected species do not exist at the site.
13. The national Planning Practice Guidance indicates that an ecological survey will be necessary in advance of a planning application if the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate. Furthermore, *Circular 06/2005: Biodiversity and Geological Conservation*, states that a survey should be carried out before planning permission is granted and that surveys should only be required by a planning condition in exceptional circumstances. However, no exceptional circumstances have been put forward by the appellant.
14. Accordingly, the proposed development would fail to protect local biodiversity. It would therefore be contrary to Policy LP 30 of the Local Plan and paragraph 170 of the Framework which seek, amongst other things, to ensure that developments demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated.

Other Matters

15. The appellant states that Policy LP 9 of the Local Plan was recommended to be deleted as part of the Local Plan examination. Although I have not been provided with the Inspector's report on the Local Plan, the fact remains that it has an adopted policy which considers developments within, and those well related to, the built-up areas of Small Settlements.
16. I acknowledge that the design of the dwellings could be acceptable and that suitable materials could be employed. I also accept that the development is unlikely to impact on the amenities of adjoining occupiers and is a small site that could be built out quickly by local builders. While noting the benefits that would result in this respect, I do not consider that either individually or cumulatively they outweigh the harm identified above.
17. I also recognise that there would be economic and social benefits through the provision of four additional dwellings, which would boost the supply of housing in the District. However, given the quantum of development proposed, the weight I afford this is limited.
18. I note that representations were made by a local resident raising additional concerns. However, given my findings on the main issues, it is not necessary to consider these matters in detail.

Conclusion

19. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR