
Appeal Decision

Site visit made on 1 April 2021

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2021

Appeal Ref: APP/P1615/W/20/3260350

Land at Cliff Patch, New Road, Blakeney GL15 4DE

- 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 James Davis against the decision of Forest of Dean District Council.
 - The application Ref P0300/20/OUT, dated 5 March 2020, was refused by notice dated 1 June 2020.
 - The development proposed is an outline application for a two bedroom self-build bungalow with all matters reserved save access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is submitted in outline except for details relating to access. Consequently, all matters reserved for future approval have been treated indicatively under the appeal.
3. It was determined under another appeal¹ that the existing access at the site was not lawful. Consequently, for all intents and purposes of assessing highway safety under this appeal, the site is treated as having no existing access.

Main Issues

4. The main issues are:
 - (a) whether the proposal is in an appropriate location for self-build housing in relation to the spatial strategy for the area, access to services and effects on the character and appearance of the countryside; and
 - (b) effects of the proposal on highway safety.

Reasons

Location

5. Located on land at Cliff Patch, the site is adjacent to New Road to the north and around 500m outside of the defined settlement boundary of Blakeney, which is categorised as a service village within the development plan. Consequently, the site is within the countryside for the purposes of applying the development plan's spatial strategy and should be assessed in accordance with Policy CSP.4 of the Forest of Dean Core Strategy 2012 (CS).

¹ APP/P1615/X/18/3204483

6. Accordingly, under this policy there are strict controls placed on development in the countryside unless certain exceptions are met, for example where development would deliver affordable housing. With regard self-build housing, there is no evidence before me that it should be treated as anything other than market housing for the purposes of applying policies within the development plan, or that exception policies apply. Similarly, there is no evidence before me demonstrating that developing housing on brownfield land benefits from an exception from normal countryside development plan policy either.
7. During my site visit there appeared to be robust pedestrian footway provision that linked the site with the centre of Blakeney, which by my estimation would take approximately 20 minutes to walk. However, it is not clear what public transport provision exists in the area in order to facilitate sustainable travel further afield. For example, it is not clear whether bus timetables provide sufficient frequency of service for reaching comprehensive employment opportunities that may be located in other towns.
8. The site comprises open scrubland amongst a low density pattern of linear development set alongside the local highway network. There are other areas of open greenspace in amongst the existing pattern of development similar to the site itself that collectively make a significant contribution to the open rural character of the locality. This is representative of the site's location within the countryside and reinforces its position outside of the defined settlement boundary and more urbanised pattern of development of Blakeney.
9. Notwithstanding the history of the local area, insofar as there may be a historic record of timber and mineral operations, the existing character and appearance of it remains as described, and any industrial activity that may have existed appears to have been overtaken by vegetation to form a vernacular of sparse rural residential development based around green spaces.
10. The proposal would introduce market housing in a countryside location which would not be in accordance with the spatial strategy of the development plan. Furthermore, by virtue of delivering development in a countryside location, access to services would be inherently restricted.
11. Notwithstanding future occupiers' ability to walk into the centre of Blakeney to access day to day services, there is no evidence before me that demonstrates there is adequate public transport provision to access more robust services and employment opportunities that might be located further afield. Altogether this would generate an unsustainable overreliance on the private car.
12. In addition, the proposal would erode an open area of greenspace that collectively makes a positive contribution to the rural character and appearance of the area. The urbanisation of the site would therefore be at odds with the countryside location and the harmful effects therein are reflective of the site's inappropriate location for market housing, outside the defined settlement boundary of Blakeney.
13. Overall, the proposal would not be an appropriate location for self-build housing in relation to the spatial strategy for the area, access to services and effects on the character and appearance of the countryside. It would therefore conflict with Policies CSP.1, CSP.4, CSP.5 and CSP.16 of the CS and Policies AP.1 AP.4 and AP.5 of the Forest of Dean Allocations Plan 2018 (AP).

14. Among other things, these policies seek to ensure that development comes forward in appropriate locations and that the countryside is protected from inappropriate development.

Highway Safety

15. The site is located adjacent to New Road, which is a rural highway serving a sparse and low density pattern of residential development, extending north into the otherwise sparsely developed wider countryside.
16. New Road is subject to a speed limit of 30mph and on this basis it was found under another appeal² that visibility splays at any access should comprise a Y-distance of 54 metres. There is no evidence before me that this requirement has changed, or that the proposal provides visibility splays that are compliant with this metric.
17. Given the characteristics of New Road's surrounding rural environment, in that it serves an otherwise sparsely developed wider countryside location, I can accept that the volume of traffic using the highway would be limited and frequency of vehicular conflict is likely to be similarly limited. However, given that the access is close to a junction, without sufficient visibility, there is a heightened and residual risk of vehicular conflicts to the detriment of highway safety, and this is not overcome by the low frequency of potential conflict.
18. Overall, the proposal would not accord with established visibility splay metrics and would therefore generate harmful effects on highway safety along New Road. This would not be in accordance with Policy CSP.1 of the CS or Policy AP.4 of the AP, which among other things seek to ensure that development comes forward with appropriate means of access.

Other Matters

19. Even if the development plan was deemed to be out of date pursuant to a shortfall in housing land supply to the extent argued by the appellant, and Paragraph 11 of the National Planning Policy Framework was engaged, the limited quantum of development and relatively limited socio-economic benefits generated therein would be significantly and demonstrably outweighed by the cumulative adverse impacts identified under the main issues.
20. Similarly, even if there was a shortfall in the Council's delivery of self-build housing sites, the limited scale of the proposal would generate limited benefits. Furthermore, it is unclear whether piecemeal development of self-build dwellings in the countryside would generate the same benefits as a more coherent approach, such as delivering self-build plots as a component of larger and more comprehensive mixed tenure housing sites allocated within the development plan.
21. As found in another appeal³, there is no obvious physical or historical connection between the site and nearby designated heritage assets including No's 1-3 Furnace Bottom and Green Acre and Gable Cottage. Furthermore, the separation distances involved mean the potential effects on their setting is insignificant.

² APP/P1615/W/3176352

³ APP/P1615/W/3176352

22. This is something that was reinforced by my site visit, and there is no other evidence before me that suggests the proposal would not preserve the significance of these designated heritage assets in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
23. Reference to other developments nearby have been made by the appellant, but the full details of these are not in front of me, nor has the relevance to the proposal in this case been demonstrated. Consequently, they have not been determinative under the appeal.

Conclusion

24. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR