



Appeal Decision

Site visit made on 22 June 2021

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2021

Appeal Ref: APP/L3815/W/21/3270759

Land adjacent to The Spinney, Lagness Road, Runcton PO20 1LD

- 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 Junnell Homes Ltd against the decision of Chichester District Council.
 - The application NM/20/01465/FUL, dated 12 June 2020, was refused by notice dated 15 January 2021.
 - The development proposed is the erection of 9 no. dwellings with access, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 that secures a commuted sum in lieu of affordable housing, and a financial contribution towards measures to help mitigate recreational pressure on sites of ecological importance.
3. The Council is satisfied that, subject to the obligation in the legal agreement, the contribution towards mitigation measures overcomes the potential harm to the areas of ecological importance and has led it to withdrawing the second reason for refusal.
4. I comment further on these obligations under other matters.

Background

5. The site lies adjacent to the settlement of Runcton. A small part of the site lies within the settlement boundary as defined in the Chichester Local Plan Policies Map with the majority outside but adjoining it. Policy 2 of the Chichester Local Plan: Key Policies 2014-2029 (the 'Local Plan') sets out the development strategy and settlement hierarchy for the District. The strategy is to concentrate development in the sub-regional centre, settlement hubs or service villages, of which Runcton is one. Outside these defined settlements development is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification. As the proposed development does not fall within any of these categories, it conflicts with Policy 2.
6. However, the Council acknowledges that, using the methodology set out in the National Planning Policy Framework (the 'Framework'), there is insufficient housing land available to meet demand within the District, and the

presumption in favour of sustainable development as set out in paragraph 11 of the Framework applies.

7. Pending a review of the Local Plan it has therefore adopted the Interim Policy Statement for Housing Development, November 2020 (the 'Interim Policy Statement') to guide decision making on proposals for new residential housing. The Interim Policy Statement does not form part of the development plan, but it seeks to respond to the current situation by providing additional opportunities for housing development while retaining key planning principles and approaches to development. I consider the Interim Policy Statement to be an appropriate response to the lack of housing land supply, and I therefore give it weight in determining the appeal.
8. The Interim Policy Statement sets out 13 criteria by which to assess residential proposals. The Council has raised concern with regard to criterion 3, which relates to the actual or perceived coalescence of settlements as well as a concern about the scheme appearing too dense, which is most closely related to criterion 9. The Council also makes reference to criteria 2, 4 and 5 in its appeal statement which relate to scale, efficient use of land and impact on the surrounding townscape and landscape character, although none of these feature in the reasons for refusal.

Main Issue

9. Having regard to the Interim Policy Statement, the main issue is considered to be the effect of the development on the gap between settlements, including the density of the scheme.

Reasons

10. The site comprises rough ground enclosed by hedging. While it does not appear to have been used for agricultural purposes for some time, it is undeveloped, and its character is that of a rural parcel of land that forms part of the countryside.
11. To the west of Runcton lies the nearby settlement of North Mundham, connected by the Lagness Road. The appeal site forms part of the land on the south side of the road which separates the two settlements. The remainder of the land is made up of two detached dwellings and their outbuildings set in mature plots, and a further undeveloped parcel of land, before the outskirts of North Mundham is reached. The north side of the road is open grazing land.
12. Although approximately half of the frontage on the south side of the road is taken up with the mature gardens of the two detached dwellings, these are isolated from the settlements by the intervening parcels of undeveloped land. These, together with the open land on the north side of the road, ensure that the two settlements are physically and visually separated.
13. Development on the appeal site would erode the sense of separation between the settlements. It would introduce a built up frontage along Lagness Road across the width of the appeal site. The proposal was amended at the application stage to incorporate a landscaped frontage. While this would certainly be more in character with the area than a wall, the developed nature of the site would still be apparent in views along the new access drive and the height and proximity of buildings appearing above the landscaping on the road frontage.

14. The proposed development on the site would also join the isolated dwellings to the settlement of Runcton, resulting in unbroken garden frontages along approximately three quarters of the south side of Lagness Road between the two settlements. This would reduce the perception of separation between the villages. The appellant has characterised the proposal as being an infill scheme. However, I consider the appeal proposal to be considerably more than just the development of a gap in an otherwise built up frontage, but rather the encroachment of a sizeable scheme into what is an important visual break between settlements.
15. The Council has also criticised the layout for being too dense. In so far as the scheme makes an efficient use of land I do not raise objection to its density as a separate issue; rather it is the principle of development on the site that conflicts with the objective of preventing the actual or perceived coalescence of settlements.
16. I am conscious that there was a difference of opinion between Planning Committee members and their officers who advised that, in their view, there would be no actual or perceived coalescence likely to arise from the development. For the reasons set out above, I disagree with that advice and consider that significant harm would be caused to the actual and perceived separation of settlements, as is considered to be the case by the Planning Committee.
17. I conclude that the development would noticeably close the gap between the settlements of Runcton and North Mundham, and would therefore result in their coalescence causing harm to the character and appearance of the area. It would as a consequence conflict with criterion 3 of the Interim Policy Statement and also with policies 47 and 48 of the Local Plan, which require the individual identity of settlements, actual or perceived, to be maintained and the integrity of predominantly open and undeveloped land between settlements not be undermined. For the reason given above, I do not however consider the scheme to conflict with policy 33, which addresses various criteria including density.

Other Matters

18. The appellant has put forward a planning obligation relating to mitigation of recreational pressures on the Chichester and Langstone, and Pagham Harbour, Special Protection Areas. While I note the Council and Natural England have no objection to the development on that basis, given my conclusion on the main issue I have not needed to carry out an appropriate assessment under the terms of the Conservation of Habitats and Species Regulations 2017.
19. The appellant has also put forward an obligation to pay a sum towards the provision of off-site affordable housing. This responds to a recommendation by the Council's Housing Officer. It does not feature as a reason for refusal, nor have I been provided with any information by the Council as to the need or policy requirement for such a contribution. However, given my conclusion on the main issue I have not sought to consider this matter any further.
20. There is extant permission for a dwelling on the easternmost part of the site¹. As this part of the site lies within the settlement boundary of Runcton, different

¹ NM/18/00381/FUL and NM/18/01759/FUL.

policy considerations apply to it in contrast to the remainder of the site. It does not therefore set a precedent for development on the larger part of the site.

21. I acknowledge that the development would be of benefit by increasing the local housing supply by an additional 9 dwellings. The contribution towards off-site affordable housing is also a benefit, notwithstanding the lack of justification for it on the part of the Council.
22. The proposal would accord with the criteria in the Interim Policy Statement other than criterion 3, although as these are necessary requirements for all new residential development, compliance with the other criteria is a neutral consideration in my decision.

Conclusion

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the appeal be determined in accordance with the development plan unless material considerations indicate otherwise.
24. In this case the proposed development would conflict with the development plan when taken as a whole because of the erosion of the gap between settlements, which would undermine the separate identity of the two villages.
25. Balanced against that harm are the benefits of the scheme, and the material consideration contained in paragraph 11 of the Framework. Because the Council's identified housing supply at 4.3 years is less than the 5 years' supply required by national planning policy, albeit only by a small amount, paragraph 11 of the Framework says that permission should be granted unless policies in the Framework provide a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
26. Runcton and North Mundham are among the most closely spaced settlements in the District of Chichester. It is therefore all the more important that the limited space between them is protected to ensure their continued separate identities. Notwithstanding the need for additional housing land, I consider that in this instance the harm caused by closing the gap between the settlements would significantly and demonstrably outweigh the benefits.
27. I conclude that the appeal should be dismissed.

Guy Davies

INSPECTOR