



Appeal Decision

Site visit made on 10 February 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2022

Appeal Ref: APP/J0540/W/21/3282494

Land adjacent to 121 West Street, Helpston, Peterborough, PE6 7DU

- 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 J Wilson against the decision of Peterborough City Council.
 - The application Ref 21/00169/FUL, dated 5 February 2021, was refused by notice dated 8 July 2021.
 - The development proposed is the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the appeal site is a suitable location for the proposed development with reference to the spatial strategy in the development plan.

Reasons

3. The appeal site is located outside but close to the village of Helpston. It is positioned on the edge of a small cluster of development and between a row of houses and what appears to be a vacant garage. This cluster is separated from the main body of Helpston by a field. There is no dispute that the appeal site is located outside the defined settlement envelope of Helpston and is therefore located in the countryside for the purposes of applying the policies in the development plan. The development plan includes the Peterborough Local Plan 2016 to 2036 (LP).
4. Policy LP2 of the LP is concerned with the location of new housing. It seeks to direct such development in accordance with a settlement hierarchy, the aim of which is to bring housing, jobs and services closer together to achieve sustainable communities. Policy LP2 also seeks to protect the character of the landscape by maintaining and reinforcing the distinction between built up areas and the countryside.
5. Accordingly, Policy LP2 states that planning permission for development in the countryside will be restricted to four categories. These include development that is essential for agriculture, rural exceptions sites as defined in Policy LP8, and several other exceptions identified in Policy LP11. The appeal scheme, which would be an open market house, would not fall within any of the categories of housing development listed in Policy LP2 (and Policies LP8 and

LP11)¹. The proposal would therefore be at odds with, and undermine, the spatial strategy for housing in the development plan. Policy LP2 is consistent with the National Planning Policy Framework (the 'Framework'), which seeks a genuinely plan led approach to the scale and location of development.

Other Considerations

6. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
7. Depending on how it is done, delivering the 82 homes allocated under Policy LP41.5 of the LP could result in coalescence between the village of Helpston and the cluster of development within which the appeal site is located. For example, housing fronting onto the B1443 would effectively create a continuous length of development from Langley Bush Road to the village centre, much the same as that found to the east of the village along Glington Road. The appeal site would be the only undeveloped gap in what could otherwise appear as a built-up area of the village. I have seen little to suggest it would be a particularly important green gap in these circumstances.
8. However, I have not been presented with anything to say the allocation has been approved and approved in a way that would spatially link the village with the cluster. Thus, I do not find the allocation to currently be a determinative matter in favour of the proposal.
9. In coming to this view, I have carefully considered an appeal decision² referred to by the appellant relating to three dwellings at Norman Cross. However, in that instance the appeal site was close to an urban extension granted planning permission for 5,350 homes. A delivery programme relating to this was before the Inspector. The circumstances are therefore different to the proposal before me, as planning permission has not been granted pursuant to allocation LP41.5 so it is unclear how the appeal site's context will change. I have also considered the other appeal decision³ referred to by the appellant at the former garden nursery to the Northwest of the appeal site. However, that proposal turned on the impact on the character and appearance of the area. There was no general finding from the Inspector in that instance that housing in the small cluster to the west of Helpston would be acceptable.
10. The appeal scheme could reasonably be regarded as infilling given the presence of development on three sides and the site's road frontage. The appellant therefore submits that the proposal would not harm the countryside because it would not project into it. However, I have not been directed to any development plan policy that specifically permits infilling in the countryside.
11. Moreover, I note the Council's point that the proposal would result in the loss of a green space in the countryside and the creation of creeping ribbon development outside the village. The Council has not refused the proposal due to concerns regarding the impact on the character and appearance of the area, so its position on this matter is a little muddled. Nevertheless, given the undeveloped character of the appeal site and its position outside Helpston, I share the Council's view that the proposal would intensify development in the

¹ The Council has also referred to Policy LP4 of the LP in its reason for refusal, but it is unclear why this is relevant as it sets out the spatial strategy for employment, skills and university development.

² APP/H0520/W/20/3254679

³ APP/J0540/W/20/3253778

countryside rather than within a village. The large size of the proposed dwelling would not assist in this respect. Thus, as things currently stand, the proposal would not maintain or reinforce the distinction between Helpston as a defined built-up area and the countryside, which is an important aim of Policy LP2.

12. The appeal site is not isolated but nor is it within a settlement. That said, Helpston is defined as a 'medium village' in Policy LP2 of the LP due to the level of services and facilities available. The residents of the appeal scheme would be able to conveniently access most of these on foot due to the modest distance and the connection provided by a generally level pavement. This windfall proposal would therefore help to maintain the vitality and viability of a rural community, albeit in a modest way, whilst promoting sustainable transport. It would also be a small site and thus be able to quickly contribute in a modest way to housing land supply.
13. However, I have been presented with little to explain the practical effect of this. For example, there is nothing to indicate village facilities are suffering for lack of patronage or clubs or societies for lack of local members. This matter also needs to be considered in the context that 82 homes have been allocated for the village and the Council is currently able to demonstrate a five-year housing land supply, and is therefore currently in the process of significantly boosting the supply of housing. As a result, housing delivery would be a modest benefit of limited weight.
14. The proposal is advanced as a Custom or Self Build scheme, which is a type of development supported by Policy LP9. However, I have not been presented with a robust mechanism that would secure it as such and therefore this is not a point that carries more than limited weight. A couple of new houses have been constructed to the west of the garden nursery, but the circumstances around this are unclear, including what was there beforehand.
15. Overall, the other considerations outlined above would not outweigh the conflict with the development plan, which is a matter I afford significant weight to given the consistency with the Framework. This is a balanced conclusion based on the evidence before me and the matters as they currently stand.

Conclusion

16. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Graham Chamberlain
INSPECTOR