



Appeal Decision

Site visit made on 11 February 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2025

Appeal Ref: APP/J0405/W/24/3348422

Poppyfields, Tingewick, Gawcott MK18 4DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr & Mrs C Moorhouse against the decision of Buckinghamshire.
 - The application Ref is 24/01534/PIP.
 - The development proposed is erection of a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. For the avoidance of doubt, where reference is made to the National Planning Policy Framework (the Framework), the paragraph numbers quoted are those that appear in the latest version as revised on 7 February 2025.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

6. Policy S1 of the Vale of Aylesbury Local Plan (VALP) requires development to comply with the principles of sustainable development, to contribute positively to meeting the vision and strategic objectives of Aylesbury Vale and to fit with the intentions of VALP policies. VALP Policy S2 sets out the spatial strategy for growth which seeks to direct the majority of new homes to identified towns and villages. It

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

states that elsewhere in the rural area, housing development will be strictly limited, and is likely to be incremental infill development. VALP Policy S3 requires that the scale and distribution of development should accord with the settlement hierarchy. It indicates that development in the countryside should be avoided other than for specific proposals which accord with policies to support thriving rural communities and the development of allocations.

7. The appeal site lies between Gawcott and Tingewick which are both identified as medium villages, having some provision of key services and facilities, making them moderately sustainable. However, the site is separated from these villages by some distance, in the countryside. In addition, as it is not in an otherwise built-up frontage, it is not an infill plot. Accordingly, the spatial strategy and settlement hierarchy, set out in the VALP, indicate that the proposal is in a location where new housing should be strictly limited, irrespective of whether, or not, the site falls within the definition of previously developed land.
8. Gawcott and Tingewick, and the facilities, services and employment opportunities they contain, are some distance away, and are accessed from the site along unlit roads with no footway and subject to the national speed limit. As a result, and as acknowledged by the appellant, it is unlikely that the occupants of the proposal would walk to such settlements, particularly during times of darkness and inclement weather. The speed of vehicles along the route would also be likely to be off-putting for all but the most competent and confident cyclists. Furthermore, there is no evidence before me that the occupants would have access to a frequent bus service that would provide a realistic alternative mode of transport from the site. Consequently, the future occupants of the proposal would be highly dependent on the use of private cars for most of their day-to-day needs.
9. At paragraph 83, the Framework indicates that to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. The Framework recognises, at paragraph 110, that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Nevertheless, paragraph 110 also states that the planning system should actively manage patterns of growth in support of the objectives set out at paragraph 109, which include identifying and pursuing opportunities to promote walking, cycling and public transport use. In view of the accessibility concerns I have identified, the benefits of the proposal, due to the support it would give to services in a nearby settlement, would be limited. In addition, given the small scale of the proposal it would not promote sustainable transport, or walking and cycling.
10. Paragraph 84 of the Framework, which is within the rural housing section of the 'Delivering a sufficient supply of homes' chapter and is therefore relevant to the determination of this appeal, states that development of isolated homes in the countryside should be avoided unless one or more circumstances apply. 'Isolated' is not defined in the Framework but it has been held that it simply connotes a dwelling that is physically separate or remote from a settlement. This is a matter of judgement.
11. In this case, the proposed dwelling would be closely related to an equestrian business on a site with planning permission for a workshop. It would also be near to a small number of other buildings and dwellings. Such a group, however, do not form a coherent and readily identifiable rural community or settlement. Therefore,

in my judgement, the proposed dwelling would be isolated for the purposes of paragraph 84 of the Framework.

12. It has been suggested that the occupation of the building could be tied to the existing equestrian business. However, there is no evidence before me that demonstrates that there is an essential need for a rural worker to live on the site. Moreover, even if there were an essential need, the occupation of the dwelling could not be tied to the existing business at this, the permission in principle, stage nor could it be secured at the technical details consent stage as it does not relate to the details of the proposal. Therefore, the proposal would not fall within the circumstance set out at paragraph 84a).
13. The proposal does not involve a heritage asset, the re-use of redundant or disused buildings, or the subdivision of an existing residential building. In addition, in the absence of the design details of the proposal it cannot be said that it is of exceptional quality. Accordingly, the proposal does not fall within any of the other paragraph 84 circumstances.
14. Details of the appearance and scale of the proposed dwelling, and the landscaping of the site, are not provided as they are for consideration at the second stage of the permission in principle consent process. However, the introduction of a dwelling on the site would not be unexpected or uncharacteristic of the area which includes sporadically located dwellings. I see no reason why the proposed dwelling could not be designed to respond sympathetically to, and avoid having an urbanising effect on, the rural character of the area. Nevertheless, that does not alter my findings that the proposal is contrary to the spatial strategy and does not comply with the principles of sustainable development set out in the Framework.
15. In conclusion, having regard to the settlement hierarchy as set out in the development plan, I find that the appeal site would not be a suitable location for residential development as it would be contrary to VALP Policy S1, S2 and S3. As I have found that the proposal would not be harmful to the rural character of the area, there would be no conflict with VALP Policy BE2.

Other Matters

16. I have had regard to the decisions for residential development that the appellant has drawn to my attention. The decision at Appendix 1 relates to the re-use of an existing building and was supported by policy. The decisions at Appendices 1, 2, and 4 relate to sites within, or on the edge of, small villages where current policy expects that small scale development could be accommodated. The sites in the decisions at Appendices 3 and 5 are outside of an identified village, but, unlike the case before me, have access to a bus service. Appendix 6, which relates to a site within a different authority, also had access to public transport. Therefore, none are directly comparable to the scheme that is before me and, consequently, have limited weight in the determination of this appeal.
17. The provision of a dwelling would make a very modest contribution towards meeting housing needs. Benefits to the local economy would also be small given the scale of the scheme. When taken together, the benefits of the proposal would not outweigh the harm that I have identified. Moreover, even if paragraph 11 d) ii) of the Framework were engaged, the adverse impact of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR