
Appeal Decision

Site visit made on 11 December 2018

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2019

Appeal Ref: APP/U2370/W/18/3210966

Land west of Barnfield, Sower Carr Lane, Hambleton, Poulton-le-Fylde, FY6 9DJ

- 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 Messrs Pye against the decision of Wyre Borough Council.
 - The application Ref 17/01170/OUT, dated 18 December 2017, was refused by notice dated 28 August 2018.
 - The development proposed is described as 'outline application for the erection of 4no detached dwellings.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was submitted in outline with all matters except for access reserved for determination at a later date. I have considered the appeal on this basis. A site layout plan has been submitted but I have treated this as being indicative as layout is a reserved matter.

Main Issues

3. The main issues are:
 - whether the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Planning policy

4. The development plan for the Borough consists of the Wyre Borough Local Plan 1991 – 2006 Written Statement (the Local Plan). The Local Plan was adopted before the National Planning Policy Framework (the Framework) which may have implications for the weight to be attributed to its policies, which I address in my reasoning.
5. I understand that the Council intend to adopt the Publication Draft Wyre Local Plan (DWLP) on 28 February 2019. However, the Council have provided no information about how any emerging policies have been amended since the

publication of the Inspector's post hearing advice note. On this basis and since the DWLP does not form part of the development plan I attach only moderate weight to the policies within it.

Suitability of the location

6. Paragraph 78 of the Framework states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.
7. The appeal site is located on the south side of Sower Carr Lane in a countryside location, accessed off the A588 via narrow unlit country lanes, with little in the way of footpaths for pedestrians. The A588 appears to be a relatively busy road with limited street lighting. The site is located approximately one mile north of Hambleton which the appellant states offers a range of facilities and a similar distance from the settlement of Stalmine.
8. However, these settlements still lie some distance away from the site. Given the fairly busy nature of the A588 I consider that future occupiers of the proposed dwellings would be unlikely to travel by bicycle or regularly walk to these settlements because of the distances involved, particularly in times of inclement weather and during the hours of darkness. I noted at my site visit that there is a bus stop about 0.2 miles west of the site at a junction of Sower Carr Lane with the A588 however, no information has been provided about the services offered. In any event future occupiers would have to walk along a narrow unlit road to access the bus stop.
9. Overall, given its countryside location I consider that the future occupiers of the proposed development would be reliant on the use of the private car to make most of their journeys for local services and facilities. Consequently, the proposed development would be contrary to the spatial strategy aims of Policy SP13 of the Local Plan and Policy CDMP6 of the DWLP which requires development to include measures to encourage access on foot, by bicycle and public transport and reduce car reliance. It would also conflict with National planning policy in the Framework which seeks to ensure that residential development is directed to the most sustainable locations where there is access to a range of services and forms of transport other than the private car.
10. The Council have referred to Policy SP1 of the DWLP which states that development in the Borough will be concentrated within and on the edge of Fleetwood, Thornton Cleveleys and Poulton-le-Fylde with boundaries being defined by land use allocations and other policies of the plan. They have also referred to Policy SP2 which refers to the strategic location for development in the Borough however, little analysis or explanation has been provided of the relevance of these policies to the proposal and the extent of conflict with them. In any event, these do not form part of the development plan and as I have already identified conflict with the Framework it is not necessary to consider these further.

Character and appearance

11. The appeal site consists of part of a large agricultural field which is located adjacent to Sower Carr Lane and which has a wide frontage to the lane bound by a mature hedgerow. The site is surrounded to the south by agricultural land and with the exception of the detached dwelling to the west, Ferndale, the

immediate vicinity of the site largely consists of agricultural land. Development along Sower Carr Lane is sporadic and whilst the site does not form part of a designated landscape it is nevertheless a typical pleasant rural landscape.

12. The appellant has drawn my attention to an approval for a dwelling on the opposite side of the road and another further along Sower Carr Lane. I do not know the circumstances of those developments being permitted and in any event this does not alter my overall judgement regarding the sporadic nature of development in the area.
13. The indicative site plan and elevations show four relatively regularly spaced houses of similar design located in close proximity to the road. Whilst this plan is only indicative, the construction of four dwellings, regardless of scale, appearance, layout and landscaping would be visible over the hedgerow and would reduce the undeveloped qualities of this part of Sower Carr Lane. As a consequence, there would be unacceptable harm to the character and appearance of the area.
14. The proposed development would therefore conflict with the aims of Policy SP13 of the Local Plan to protect the inherent qualities and rural characteristics of the countryside and Policy SP14 of the Local Plan which requires development to be acceptable in the local landscape in terms of its scale and siting. It would also conflict with the aims of the Framework to enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
15. The Council have referred to Policy CDMP5 of the DWLP which relates to the historic environment and Policy SP4 of the DWLP relating to the change of use of land in the Green Belt. Neither policy is relevant to the proposed development as such they weigh neither for nor against the proposal.

Planning balance

16. The Council's development plan policies relevant to the supply of housing are out of date. Therefore, Framework paragraph 11 is applicable, as criteria (d) applies in any situation where relevant policies are out of date.
17. There would be a small social benefit in providing extra housing units and short term economic advantages would also arise from the construction of the new houses. Some further modest benefits would result from the additional support to the vitality of the local community from the future occupiers of the houses. However, the proposed houses would not be in an accessible location and would result in the likelihood of a dependency on the use of the private car for access to services. As such the proposed development would be contrary to the aims of the Framework to minimise the need to travel and to support the transition to a low carbon future. This and the harm to the character and appearance of the area means that the environmental objective of sustainable development would not be achieved.
18. Policy SP13 of the Local Plan relates to development in the countryside and sets out a number of exceptions where development would be permitted. The appellant has provided two appeal decisions relating to development elsewhere in the Borough where both Inspectors found that Policy SP13 is inconsistent with the Framework insofar as it does not promote sustainable development in the countryside. One Inspector noted that the settlement and countryside

boundaries were adopted over 18 years ago and the Local Plan was intended to cater for needs arising up to 2006. Both concluded that the weight to be afforded to any conflict with SP13 is substantially reduced. I have no reason to take a different view.

19. However, even taking into account the reduced weight to be attached to Policy SP13, I attach significant weight to the conflict with it. Overall I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development. The material considerations do not justify making a decision other than in accordance with the Development Plan.

Other Matters

20. The misgivings expressed by the appellant about the time taken by the Council to determine the application are separate from the planning merits of the proposed development and they have no bearing on the outcome of this appeal.

Conclusion

21. For the reasons given above and having regard to all matters raised, I conclude the appeal should be dismissed.

Felicity Thompson

INSPECTOR