

Appeal Decision

Site visit made on 18 April 2017

by Louise Nurser BA (Hons) Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 May 2017

Appeal Ref: APP/M2325/W/16/3161525

The Beeches, Roseacre Road, Elswick, Lancashire PR4 3UD.

- 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 and Mrs John Iredale against the decision of Fylde Borough Council.
 - The application Ref 16/0209, dated 23 March 2016, was refused by notice dated 9 June 2016.
 - The development proposed is outline application for the erection of a single dwelling house.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appeal seeks outline planning permission, with all matters reserved except for access. I have considered the appeal on this basis.
3. The Council produced An Interim Five Year Housing Supply Statement based on its most recent housing supply figures. This was submitted following receipt of the appeal. I gave the appellant the opportunity to comment on this document and have taken the response into consideration in my determination of the appeal. I also sought the views of both main parties as to whether written representations remained the most appropriate procedure for determining the appeal.
4. In addition, prior to determining the appeal I requested an extract of the Policies Map of the Fylde Borough Local Plan 2003 (LP) setting out the settlement boundary of Elswick. A copy of this plan was circulated to the appellant for information. I have been referred to a number of policies within the emerging submission version of the Fylde Local Plan to 2032 (eFLP). I note that the Plan is currently under examination. However, as I have not been furnished with any information relating to the extent to which there are unresolved objections to these emerging policies, I am only able to accord them limited weight.

Background and Main Issue

5. The main issues are whether the proposed development would provide a suitable location for market housing, having regard to the policies of the
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development plan and national planning policy and whether the proposed development would occupy an accessible location.

Reasons

Planning Policy

6. There is no dispute between the main parties that for the purposes of this appeal Fylde is able to demonstrate a five year supply of deliverable housing sites. The appeal site lies within the large garden of The Beeches which, together with a number of other dwellings and a farmstead, forms a group of buildings which falls outside of the defined settlement boundary as defined by the saved policies of the LP. Thus, in planning policy terms, the appeal site is considered to be located in open countryside. This notation is continued within the eFLP.
7. Saved Policy SP2 of the LP, restricts development in the countryside to that which is essential to the operation of agriculture, horticulture, forestry or other uses appropriate to a rural area, the reuse of buildings, the redevelopment, reuse or refurbishment of large sites and minor extensions or essential development to allow the continuation of an existing use which would not harm the character of the surrounding countryside. Emerging policies GD4 and H6 of the eFLP set out similar updated criteria to take into account the provisions of the Framework.
8. The proposed development for market housing, does not fall into any of the above categories, albeit, I note that the appellant wishes to retire to the property. Therefore, the proposed development would be in conflict with saved Policy SP2 of the LP. I am aware that this policy predates the publication of the Framework. However, it is generally consistent with Paragraph 55 of the Framework and I am therefore able to accord it substantial weight.
9. Similarly, given my conclusion that the proposed market housing would be contrary to saved Policy SP2 of the LP, it would be by definition, contrary to the first criterion of saved Policy HL2 of the LP. This requires that the principle of the housing would be acceptable.
10. In addition, the proposed development would not be consistent with emerging Policies GD4 and H6. However, due to the limited information which I have been given on the extent to which there are any objections, I have accorded these limited weight.

Accessibility

11. As set out above the appeal site lies within a group of housing outside of the settlement of Elswick. At the time of my site visit, which took place in the sunshine and during daylight, I was able to walk into the village ,past the wildflower meadow and sports facilities, and noted a number of pedestrians doing likewise. However, to access the facilities within Elswick or to catch a bus elsewhere, future occupiers would be required to walk some 240 metres before reaching a street light, and around 380 metres before finding a pavement. Whilst I accept that for the occupants of existing properties this is already the case, and such a situation is not unusual within rural areas, the lack of pavement and street lighting together with the speed at which traffic could travel given the relative width of the road, would make it an unattractive route for pedestrians or cyclists. In coming to this conclusion, I have taken into

account that there have been no reported accidents nearby. Nonetheless, I consider future occupiers would be largely reliant on the private car to meet their day to day needs, and whilst they may take advantage of the facilities within Elswick, they would be likely to travel further. Such an approach would be contrary to a core land use principle of the Framework which seeks to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

12. I have been referred to the planning permission granted for the site known as Tiny Paws. However, whilst I have been given some details relating to the case, I am not fully aware of the particular policy or site specific aspects and can draw no direct comparison. Moreover, I have considered the proposal before me on its own merits.

Other matters

13. The appeal proposal is in outline with all matters reserved other than access. Consequently, it is not possible for me to weigh in the planning balance matters such as the potential environmental credentials, or quality of any subsequent design.
14. I note that the appeal site lies within the approved boundary for Elswick Neighbourhood Plan. However, I have not been provided with any details of relevant policies within the Neighbourhood Plan. Consequently, I have not been able to take this into account in my consideration of the appeal.
15. I appreciate that no objections were raised by statutory consultees. However, these matters do not overcome or outweigh the conflicts with policy outlined above.
16. I am aware that there is uncertainty as to whether Elswick should be considered to be a Tier 1 or Tier 2 settlement and the levels of housing which should be allocated within or adjacent to the village. However, in the absence of detailed information into the progress of this aspect of the eFLP I have accorded these matters negligible weight in my consideration of the merits of the appeal.

Conclusion

17. The proposal would make a modest but positive contribution to the housing supply of the area. As such I would accord it moderate weight in favour of the proposal. However, I have found the appeal to be in clear conflict with the policies of the development plan, the emerging plan and that of the Framework. These harms clearly outweigh the moderate benefit identified. Consequently, I dismiss the appeal.

L. Nurser

INSPECTOR