



Appeal Decision

Site visit made on 23 August 2016

by Beverley Doward BSc BTP MRTPI

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

Decision date: 15 September 2016

Appeal Ref: APP/N2739/W/16/3148059

Field to the north of the A1041, Camblesforth

- 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 Proserpina Limited, Lampetia Limited & Cerealia Limited against the decision of Selby District Council.
 - The application Ref 2015/1121/OUT, dated 2 October 2015, was refused by notice dated 9 March 2016.
 - The development proposed is described as "residential development on land to the north of the A1041 Camblesforth."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline with all matters other than access reserved for future consideration. Accordingly, I have dealt with the appeal on this basis. A layout plan was submitted with the planning application. I have treated this as being for indicative purposes only.

Main Issues

3. The main issues in this case are:
 - whether the proposal would be a sustainable form of development having regard to the development strategy for the area and the principles of sustainable development set out in the National Planning Policy Framework (the Framework); and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Whether sustainable form of development

4. Policy SP2 of the Selby District Core Strategy Local Plan (Core Strategy) adopted October 2013 identifies a settlement hierarchy in order to direct future development to the most sustainable locations. The hierarchy comprises the principal town of Selby, the Local Service Centres of Sherburn-in-Elmet and Tadcaster and a number of Designated Service Villages. The policy also indicates that limited amounts of residential development may be absorbed within the development limits of Secondary Villages, of which Camblesforth is
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- one, where it will enhance or maintain the vitality of rural communities and which conform to the provisions of other specified policies of the Core Strategy. However, the appeal site is located outside the defined development limits of Camblesforth as indicated on the Policies Map meaning that for planning policy purposes it is regarded as being within the open countryside where new development will be limited to specific circumstances which do not apply in this case.
5. The appellant contends that given the development limits were adopted under the Selby District Local Plan (Local Plan) which was adopted in 2005 when the housing requirements and land availability were different to the housing requirements for the Core Strategy they do not properly reflect the policies of the Core Strategy and are now out of date and conflict with the advice set out in the Framework.
 6. I note that the Core Strategy indicates that the development limits will be reviewed through further Local Plan documents. However, it seems to me that until that time they are clearly intended to serve as a tool to implement the development strategy of the Core Strategy which is to direct new development to the most sustainable locations. This is broadly consistent with the Framework which indicates, at paragraph 55, that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that new isolated homes in the countryside should be avoided unless there are special circumstances.
 7. Although policy SP2 of the Core Strategy indicates that land allocated for development through a Site Allocations Local Plan will be based on a sequential approach, which includes respectively as third and fourth priorities extensions to settlements on previously developed land and extensions to settlements on greenfield land, this applies only to the principal town of Selby, the Local Service Centres of Sherburn-in-Elmet and Tadcaster and the Designated Service Villages. It does not apply to Secondary Villages such as Camblesforth. I note that a number of villages which had the same sustainability score as Camblesforth in the sustainability assessment undertaken as part of the evidence base for the Core Strategy were subsequently identified as Designated Service Villages. However, it is a matter of fact that Camblesforth is not identified as such and my consideration of the appeal proposal must be made against the current policy situation.
 8. The appellant states that at the time of the submission of the planning application the Council could not demonstrate a 5 year housing land supply as required by the Framework but that during its consideration the Council released a new Annual Monitoring Report which indicates that it now has a 5.8 years supply of housing land. The appellant does not dispute this fact and there is nothing in the evidence before me to lead me to conclude otherwise. Therefore, in so far as policy SP2 of the Core Strategy is a relevant policy for the supply of housing I consider that it is up-to-date. It is also consistent with the advice in the Framework which indicates, at paragraph 55, that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Therefore, it is given full weight in my consideration of the appeal.
 9. The proposal for housing development in this location would conflict with the development strategy for the area and be contrary to policies SP2 and SP4 of the Core Strategy in this respect.

10. I acknowledge that, as illustrated by the various appeal decisions referred to by the appellant, the Framework seeks to boost significantly the supply of housing and the presence therefore of a 5 year supply is not, of itself, grounds for refusing planning permission. At the heart of the Framework is a presumption in favour of sustainable development. Paragraph 7 of the Framework sets out three dimensions of sustainable development, namely the economic, social and environmental roles. These dimensions are mutually dependent and to achieve sustainable development should be sought jointly and simultaneously.
11. The appellant indicates that social benefits would be provided by the provision of 40% affordable housing, on-site recreational facilities and an education contribution. The Council Officer's report indicates that an education contribution would not be required. However, in respect of the affordable housing and on-site recreational facilities I have not been provided with any means of securing these. I consider that there are not any exceptional circumstances in this case to justify the imposition of a negatively worded condition requiring a planning obligation to secure the affordable housing and on-site recreational facilities. Therefore, I cannot be satisfied that these intended social benefits would have been delivered. Nevertheless, the appeal proposal would provide some social and economic benefits.
12. The housing development would contribute to boosting the supply of housing. It would also provide some short term employment opportunities during the construction phase and then in the longer term would provide homes whose future occupants may contribute to the local economy and help support local services and facilities in Camblesforth and in the higher order centres of Selby and Goole which are served by public transport services that are within reasonable walking distance from the appeal site. Accordingly, these benefits are all afforded moderate weight in favour of the proposal.
13. In relation to the environmental dimension the appellant indicates that the proposed houses would be built to modern building regulations requirements thereby contributing towards carbon saving and the move to a low carbon economy. However, these are requirements for all developments and are not benefits that are specific to the proposal. Furthermore, as detailed below the appeal proposal would cause significant harm to the character and appearance of the area contrary to the core planning principle of the Framework that planning should take account of the character of different areas and recognise the intrinsic character and beauty of the countryside. Therefore, it would not contribute to protecting the natural environment and using resources prudently. Accordingly, it would not accord with the environmental dimension of sustainable development.
14. Although the appeal proposal would fit some of the economic and social dimensions of sustainable development the adverse impacts relating to the environmental role would outweigh the moderate social and economic benefits and mean that on balance it would not comprise a sustainable form of development.

Character and appearance

15. The appeal site comprises agricultural land. It is bounded to the south by the ribbon of residential development along the north side of the A1041 and the residential development at Beech Grove and to the east by the grounds of Camblesforth Hall, a Grade I listed building and the residential development at

- Barn Elms. To the north and west there are no clear defensible boundaries between the site and the agricultural land beyond which forms part of an extensive area of open countryside to the west and north of Camblesforth.
16. I note that the appeal site is not subject to any specific landscape designation nor is it located within an area of landscape protection or within the Green Belt. I also note that the Council's landscape assessment indicates that the landscape within the sector of Camblesforth within which the appeal site lies is of low sensitivity to development. Nevertheless, the proposal would result in the encroachment of built development into open countryside.
 17. Although the scale of the proposed development is reserved for consideration at a later date, the indicative layout submitted with the planning application shows a scheme of 80 houses on the site and the appellant has suggested that if the appeal was to succeed the number of units should be restricted to 80 by the imposition of a condition. Accordingly, whilst I appreciate that any housing development on a greenfield site would provide for some encroachment into the countryside, in this case the development would be sizeable. It would therefore result in a significant extension of the built form into the area of open countryside to the west of Camblesforth.
 18. The proposed development would be served by an access at the westernmost extent of the ribbon of development on the A1041 and would therefore appear set apart from the rest of the village, an essentially nucleated settlement. Accordingly, notwithstanding that the development would be seen in the context of the nearby power station, it would appear as an alien and incongruent extension of the village into the open countryside.
 19. The appellant suggests that a suitable planting scheme which could be secured by means of a condition would protect the visual amenity and character of the locality. However, I am not persuaded that new planting around the northern and western perimeter of the site would serve to sufficiently mitigate the impact of the development as such features are impermanent and can die of natural causes or be removed at a later date.
 20. Having regard to all of the above therefore, I consider that the appeal proposal would cause significant harm to the character and appearance of the area. Accordingly, it would conflict with policies SP18 and SP19 of the Core Strategy and policy ENV1 of the Local Plan which, when taken together, seek to safeguard the natural environment and ensure that development proposals have regard to local character and the identity and context of their surroundings. It would also conflict with the core planning principle of the Framework that planning should take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside.

Other matters

21. The appellant contends that the Council has approved other planning applications for housing development in the countryside. However, I have not been provided with any details of these save in respect of one application at Ulleskelf¹. Therefore, I am not aware of the circumstances that may have led to the grant of planning permission for housing development elsewhere in the open countryside. In relation to the planning application at Ulleskelf I note that

¹ 2015/0306/OUT

the site lay partly within and partly outside the defined development limits of Ulleskelf which is, unlike Camblesforth, identified as a Designated Service Village which has some scope for additional residential development to support rural sustainability. Accordingly, the policy context is not the same as in this case. In any event I have considered the appeal proposal on its own merits taking into account the relevant policy and the specific context of the site and its surroundings.

Conclusion

22. To conclude therefore, the appeal proposal would not accord with the overall development strategy for the area as set out in the development plan and would cause significant harm to the character and appearance of the area in conflict with a number of policies of both the Core Strategy and the Local Plan as detailed above. It would be contrary to the development plan as a whole and would not comprise a sustainable form of development.
23. I have found no material considerations which would warrant making a decision other than in accordance with the development plan. Therefore, for the reasons set out above and having regard to all other matters raised, the appeal should be dismissed.

Beverley Doward

INSPECTOR

Richborough Estates