

**APPEAL BY MISS S, H AND L SCRAGG AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF A SMALL DWELLING AT SITE 2, PINWOOD ROAD, ASHLEY**

<b><u>Application Number</u></b>	<b>16/01033/OUT</b>
<b><u>LPA's Decision</u></b>	<b>Refused under delegated powers 2<sup>nd</sup> February 2017</b>
<b><u>Appeal Decision</u></b>	<b>Dismissed</b>
<b><u>Date of Appeal Decision</u></b>	<b>14<sup>th</sup> September 2017</b>

The Inspector considered the main issue to be whether the site forms a suitable location for residential development, having regard to national and local planning policies.

In dismissing the appeal, the Inspector made the following comments:

- The site lies within the open countryside outside the village envelope of Loggerheads. The proposal would be contrary to Saved Policy H1 of the Local Plan (LP) and Policies SP1 and ASP6 of the Core Spatial Strategy (CSS).
- The Council has confirmed that they are unable to demonstrate a 5 year supply of deliverable housing land and therefore, in line with paragraph 49 of the NPPF, policies in the CSS and LP relevant to the supply of housing should not be considered to be up to date. Accordingly, paragraph 14 of the NPPF is engaged which states a presumption in favour of sustainable development and for decision taking, where the relevant policies of the development plan are out of date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits against the policies of the Framework taken as a whole.
- Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The site is located on the edge of the settlement close to existing residential development and it is clearly not physically isolated but the Council has raised concern that the site would be isolated in terms of its accessibility to local services and facilities.
- The site lies approximately 1300m from the shops and services in Loggerheads. Pinewood Road forms a rural lane with no footways or lighting. As a result, it was considered that this would deter walking and cycling particularly in the evening or dark mornings. It was accepted that Eccleshall Road is lit and has a footway but there is some distance to walk before this road is reached.
- The Inspector noted on her site visit that there is a network of public footpaths leading from Pinewood Road which would give access to the school and the shops. However the path located to the south of the appeal site appears to be little used; it is narrow, overgrown, unsurfaced and unlit and its condition would not encourage use other than in fine weather. Due to its narrow enclosed nature and lack of hard surface it would not be the route of choice for mothers with pushchairs or those with less mobility for example.
- The nearest bus stop would be in Ashley around 800m away and there are other bus stops in Loggerheads which provide an hourly service to Newcastle and further afield. These would be beyond the 400m recommended distance for walking to a bus stop. It was acknowledged that future occupants could cycle the short distance to the shops but this would not be the most suitable form of transport for all users and again the lack of lighting on Pinewood Road would deter cycling in the evening.
- The appellant referred to an appeal and other planning permissions for residential development on the edge of Loggerheads. Residential development at Tagedale Quarry was allowed on appeal but while future residents would have to walk over 800m to the village centre, this would be along a lit main road with footways and good access to public transport. In relation to the two planning permissions granted for dwellings at The Croft and Selbourne, both sites are located to the northern end of Pinewood Road, within 100 metres of a bus stop and both have access to a public footpath linking the sites to the A53 which would give access along a surfaced lit

footpath to the village facilities. Finally, the development approved north east of Eccleshall Road is less than 800m from the village centre and pedestrian access is available along a lit pedestrian footway.

- When compared to these schemes, the appeal proposal would require walking along an unlit route with no footpaths and would be further from public transport routes. It would not be directly comparable to these cases.
- It was concluded that there would be a limited choice of realistic access options for future residents so that they would be most likely to use the car to access services and facilities in the village. The appeal site would therefore not form a suitable location for residential development and would conflict with the NPPF and policies of the Development Plan.
- The appeal proposal would make a contribution to the shortfall in the supply of housing in the borough but as the scheme is for one dwelling this would be limited. In addition, the proposal would provide social and economic benefits as future residents spend in the local shops and use local services. However again, as the scheme is for one dwelling, the contribution would be limited.
- The site would not form a suitable location for residential development due to its poor accessibility to the shops and services in the village and to public transport. This weighs heavily against the proposal and the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.
- The appeal is dismissed.

### **Recommendation**

That the decision be noted.