

Housing appeal decisions for w/c 27 June 2022*

Scheme	Appeal Reference	Description of Scheme	Local Planning Authority	Appeal Decision	Issues Summary
Land West of Broadway, Fleetwood FY7 7DQ	APP/U2370/W/21/3289736	Development proposed is the construction of 44 residential dwellings	Wyre Borough Council	Allowed	Site allocated for housing, with an open and spacious character, comprising a former school playing field. The proposed development would be characteristic of the area. Although the site was within flood zone 3 a site specific flood risk assessment had been provided and approved by the Environment Agency. Since all the dwellings would be affordable 44 dwellings were necessary to reduce the subsidy to an acceptable level. This meant that no green infrastructure could be provided on site a financial contribution towards improving facilities off-site was acceptable as an exception to the council's normal policies.
Vacant land bounded by Glen Avenue & Mulgrave Road, Roe Green, Worsley M28 2RP	APP/U4230/W/21/3289679	Application for outline planning permission for comprehensive redevelopment of site comprising erection of 4 storey block (16 apartments)	Salford City Council	Dismissed	Proposal on the site of Tree Preservation Order protected woodland between dwellings and a motorway. The removal of trees to allow the development would harm the verdant character of the area. The proposal would also be taller and bulkier than other buildings in the area meaning that it would appear incongruous. The mix of dwellings was poor being mainly small in size, counter to local policies seeking larger properties. Evidence that housing need in local area was not being met was insufficiently robust. It had not been demonstrated that a large vehicle could safely access the site due to narrow access. Sufficient facilities were with walking distance of the site. One parking space per flat was considered to be inadequate.
Site of former Knowle House, Sagars Road, Handforth	APP/R0660/W/21/3284310	Erection of 26 dwellings of which 13 affordable	Cheshire East Council	Dismissed	Redevelopment of former care home site within the green belt. There were no buildings on the site although some physical remnants including gates and an access road existed; these had not blended back into the landscape and the site could be regarded as previously developed. The introduction of 26 two-storey dwellings would inevitably erode the openness of the green belt in spatial and physical terms. It would also fail to check the unrestricted sprawl of large built-up areas, fail to prevent neighbouring settlements from merging and harm the countryside. The proposal would also have an adverse impact on the character and appearance of the area.
Land to the rear of Minster Day Centre, Chesterfield Road, Scunthorpe DN15 7UP	APP/Y2003/W/21/3284844	Construction of 10 No. new affordable homes	North Lincolnshire Council	Allowed	Proposal close to a day centre comprising a single storey building which was used for local community services and activities. The proposed housing would not be overly dominant or visually intrusive to this rear aspect of the day centre due to the relatively good separation that would exist between the buildings. The rear fencing, providing screening between the buildings and the day centre, would not be visually intrusive or overly dominant when viewed from within the proposed dwellings. Furthermore, due to its height and separation from the proposed housing, the day centre would not adversely affect the outlook from, or light into the properties. Turning to privacy, similar levels of protection to those experienced by users of the day centre would exist.

* Showing decisions relating to appeals for over 10 units

<p>Land south of Blackpool Road, Poulton Le Fylde, 333704, 439607</p>	<p>APP/U2370/W/21/3278191</p>	<p>Erection of up to 330 dwellings</p>	<p>Wyre Borough Council</p>	<p>Allowed</p>	<p>All matters other than access were reserved for future consideration and a parameters plan indicated primary and secondary access points. Illustrative layouts and swept path analysis confirmed that each point of access could be a priority junction, be of an appropriate width and design with pedestrian footways and visibility splays. The council and objectors claimed, however, that one of the main roads onto which the development would access had several transport issues. The appellant had used traffic modelling software to assess the impact of the proposed signalised junctions and those on the main road, to which the highway authority raised no concerns. The inspector concluded that demonstrating that it would have a severe impact on the road network was a 'high hurdle' to overcome and taking into account the existing situation, the proposed mitigation measures and the average increased journey time, the extra congestion and inconvenience to highway users would not be severe in scope. A partial award of costs was made in favour of the appellant.</p>
<p>Former Yelland Power Station, Lower Yelland, Yelland, Barnstaple, Devon EX31 3EZ</p>	<p>APP/X1118/W/21/3283943</p>	<p>Development proposed is a Hybrid. Outline application for 250 dwellings (Use Class C3(a)), up to 3,000m² of employment space, retailing and food and drink uses together with service and community space and associated infrastructure</p>	<p>North Devon District Council</p>	<p>Allowed</p>	<p>Redevelopment of former coal-fired power station. The council's local plan identified the site as suitable for regeneration and redevelopment and was allocated for mixed-use development for housing and employment uses together with community facilities. The council had not produced any evidence to contradict the appellant's assessment of the impact on a road junction as not being severe and a statement of common ground with the highway authority agreed that the site occupied a sustainable location. Nor had the council produced evidence to undermine the appellant's viability assessment which confirmed that the scheme could not support the provision of affordable housing. The appellant had offered a financial contribution of £1.4m towards the provision of affordable housing in lieu of a review mechanism within a section 106 agreement. Having regard to the site's allocation, it was inevitable that there would be some impact on landscape character and there was no dispute that the proposed development would remove an area of degraded landscape that has existed for some years, characterised by discordant and dilapidated features. The current appearance of the site provided a significant adverse impact on the local landscape. No locally valued features would be lost and the proposed masterplan design and landscape strategy provided an appropriate response to the development of the site within the sensitivity of its landscape context. The impact on the setting of the AONB would be largely the same as that envisaged in the development plan. In terms of the council's request for a football pitch, the section 106 agreement made provision for the submission of a Public Open Space Masterplan to provide for a locally equipped area for play (LEAP), a neighbourhood equipped area for play (NEAP) and an area of informal open space. No evidence had been presented to suggest that a new football pitch was needed nor that the section 106 would not deliver adequate levels of open space. A partial award of costs was made in favour of the appellant, concluding that the council had acted unreasonably in dismissing the appellant's viability evidence and pursuing its concerns on highway impact and the lack of provision for a football pitch.</p>
<p>265 The Ridgeway, Harrow, London HA2 7DA</p>	<p>APP/M5450/W/22/3292719</p>	<p>Redevelopment to provide a mixed-use scheme in buildings ranging from 3-7 storeys</p>	<p>London Borough of Harrow</p>	<p>Dismissed</p>	<p>Redevelopment of a church hall site with replacement D1 floorspace and 178 flats, in buildings up to seven storeys. It was not necessary to replicate the low density suburban housing characterising the area around the site and a more efficient use of the land was appropriate. The seven-storey element conflicted with tall buildings policy and would be notable on the skyline in contrast to surrounding housing, however this harm would be only limited when compared to a policy compliant six-storey and taking into account the site's unusual separation. There would be significant harm due to a poor relationship with adjacent allotments. This harm to the character and appearance of the area and conflict with the development plan was not outweighed by the housing and other benefits of the scheme.</p>

<p>Land north of Crown Road, Marnhull, Dorset DT10 1HW</p>	<p>APP/D1265/W/21/3289314</p>	<p>Development proposed is erection of 72 No. dwellings</p>	<p>Dorset Council</p>	<p>Allowed</p>	<p>Proposal on fields at the edge of a village ran counter to the local plan spatial strategy but as the council was unable to demonstrate a five-years supply of deliverable housing sites and housing completions were lagging, policies strictly controlling housing development in the countryside were out of date. The public benefit of a boost to housing to meet a pressing need and in particular the provision of 28 affordable homes, in a settlement with a reasonable range of day to day facilities, outweighed the loss of rural landscape character and setting for a listed church and other buildings.</p>
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