

Housing appeal decisions for w/c 6 February 2023\*

Scheme	Appeal Reference	Description of Scheme	Local Planning Authority	Appellant	Appeal Decision	Issues Summary
Land south of Lewes Road & Laughton Road, Broyleside, Ringmer (Easting 544649 Northing 112426)	APP/P1425/W/22/3299940	Outline planning application with all matters reserved for up to 68 residential units.	Lewes District Council	Bedford Park Developments	Dismissed	Proposal outside a settlement boundary of a village with a national park approximately 500 metres south of the site. The scheme did not comply with the council's spatial strategy in that the site lay outside a settlement boundary. The appeal site made a positive contribution to the setting of the national park as it maintained a degree of separation between two settlements, and formed part of expansive views from the scarp foothills and open downs across the lower land. The contribution which the site made to its rural surroundings would be greatly diminished as a result of the proposal. The scheme would also adversely affect users of certain public rights of way. The proposal would fail to accord with the NPPF requirement for development within the setting of national parks to be sensitively located. The site lay to the rear of a grade II listed building. The irreversible change of use of the agricultural land sited to the rear of the heritage assets and the visual intrusion caused by the proposed built forms would cause permanent harm to the open and rural setting of the complex. This would not only be detrimental to the special interest of the Grade II listed building, but also to the significance of two non-designated heritage assets. The council could not demonstrate a five-year supply of housing land, however the adverse impacts on the countryside, setting of the national park and heritage assets significantly and demonstrably outweighed the scheme's benefits.
Land Between The Croft & Hopwood Garden Centre, Ash Lane, Alvechurch, Worcestershire B48 7TT	APP/P1805/W/22/3294824	Development proposed is construction of No. 15 affordable (Discounted Market Sales Housing) dwellings including No. 3 retirement bungalows	Bromsgrove District Council	Mrs P Robinson	Dismissed	Proposal in green belt countryside outside a settlement. The proposal would not be limited infill due to the proposed scale and number compared to the settlement and would inevitably and significantly reduce openness. Unclassified, unlit lane access lacking footpaths would result in an unsafe walking route; mitigated by proposed footway funded via a S278. The settlement lacked the range of services and facilities for day to day needs. Substantial weight to supply shortfall of affordable housing, however the green belt harms outweighed the benefits.
The Royal British Legion, Towneley Road, Longridge PR3 3EA	APP/T2350/W/22/3299884	Proposed residential development of 13no. apartments	Ribble Valley Borough Council	PWA Planning	Dismissed	Proposal following the demolition of a social club located close to the town centre. The inability to provide any parking to enable disabled people to access the site and the lack of parking provision for deliveries and service vehicles would harm highway safety. The benefits of the scheme, which included the provision of housing close to local amenities and public transport links, the removal of an unviable, unsightly building, and the effect on the local economy from the construction and occupation of new housing were not considered to outweigh the identified harm.
Land at Dene Road, Cotford St. Luke	APP/W3330/W/22/3304839	Construction of up to 80 dwellings	Somerset West & Taunton Council	Hallam Land Management	Allowed	Proposal on agricultural land abutting the settlement boundary of a village in an accessible location in terms of nearby services and facilities. Although the scheme was technically in conflict with adopted spatial core strategy, it would not undermine the plan in any meaningful way and there was no tangible harm in terms of location. Irrespective of whether the council could demonstrate a five-years housing land supply, significant weight should be given to the benefit of housing provision on a readily deliverable site in an area where a phosphates issue constrained other housing sites.

\* Showing decisions relating to appeals for over 10 units

Land at Archers Low Farm, Sandown Road, Sandwich, Kent CT13 9NU	APP/X2220/W/22/3303230	Development proposed is for the erection of 44 no. dwellings	Dover District Council	Fernham Homes Limited and Walker Residential Limited	Dismissed	Proposal on farmland next to the built up edge of a town on a site allocated in an emerging policy for residential development with an indicative capacity of 35 dwellings. The estate road would result in a significant loss to a valuable group of trees, opening up views of the proposed housing. The scheme would be particularly intrusive, due to the need to break into wooded countryside. The expansion of a suburban built form would have a pronounced visual impact on its sensitive location, which was enclosed and provided part of an attractive wooded landscape setting to the town. The proposal's benefits would not outweigh the identified harm.
Land at Manor Farm, Potton Road, Everton, Bedfordshire	APP/P0240/W/22/3295634	Development proposed is 19 dwellings, including affordable housing	Central Bedfordshire Council	Mr Jonathan Pym	Dismissed	Proposal located near a grade II listed building on a site allocated for future housing. The proposal would harm the setting of the listed building, although it represented a sustainable location for the proposed development, having regard to access to services and facilities, public transport, car parking and car charging points. The scheme's public benefits would not outweigh the identified harm to the designated heritage asset.
Land off Maldon Road, Great Totham Essex	APP/X1545/W/22/3303195	Development proposed is the erection of up to 80 dwellings (including affordable housing)	Maldon District Council	Gladman Developments Ltd	Dismissed	Proposal on a field outside the settlement boundary of a village. A previous scheme had been dismissed at appeal; amendments had been made but they did not overcome the identified harm. The suburban appearance of the development would erode rural character, and the extent and number of locations from which the development would be experienced meant that the level of harm would be of the highest order. The proposed development could provide an appropriate housing mix and a legal agreement secured the provision of affordable housing, highway improvements, healthcare, public open space and mitigation for protected nature sites. However, the high level of harm to the character and appearance of the surrounding area, combined with some harm to the setting of the nearby listed buildings, outweighed the benefits of the market and affordable homes in the context of a five-years housing supply shortfall.
Land north of Quakers Road, Devizes, Wiltshire SN10 2FH	APP/Y3940/W/22/3301605	Development proposed is residential development of up to 57 dwellings	Wiltshire Council	The Police and Crime Commissioner for Wiltshire and Swindon	Allowed	Proposal on area of open green space. The widening an existing road was proposed, including securing restrictions for on-street parking which would otherwise causes obstructions and reduce the visibility at a junction. Although some local residents opposed this improvement, it would enhance highway safety and provide a suitable access into and out of the site. Ecological surveys of the site indicate evidence of badger activity and the scheme would retain an area of green space within the site to protect a known badger sett. A mitigation strategy was also proposed outlining measures to protect badgers during site construction and to ensure that their habitat would not be harmed following the scheme's implementation.