

Report to Planning Committee

Application Number: 2020/0534

Appeal Reference: APP/N3020/W/20/3263437

Site Address: Land off Shelt Hill, Woodborough

Application description: Outline application (access and layout committed) for the erection of 9 dwellings (Rural exception site with 5 affordable and 4 self-build open market dwellings) (Departure from the development plan)

Case Officer: Nigel Bryan

The planning application was refused permission on the 30th October 2010 for four reasons, as outlined below

1. The application site falls within the green belt and is detached from the settlement of Woodborough. Policy ACS8 and LPD37 identifies that the affordable housing element of the scheme may be acceptable where there is robust evidence of identified need and it is immediately adjacent to or within the settlement; however, the site is some 20m from Woodborough and there is no robust evidence of need for the affordable housing nor support of a registered social landlord, as such the proposal is deemed contrary to policies ACS8 and LPD37.
2. The erection of 4 self-build units of the scheme in the green belt is not supported in that it would be contrary to policy LPD42 and is not one of the exception criteria identified in paragraph 145 of the NPPF, and no very special circumstances exist to support the application and it is therefore considered to be inappropriate development that would, by definition, harm openness.
3. The layout of the development would be at odds with the character of the area in that the detached open market dwellings would be uniform in layout and sited close together and the affordable dwellings would be set back from the road side in a particularly suburban cul-de-sac layout at odds with the open countryside location. The application is, therefore, deemed contrary to policy ASC10 and guidance within the NPPF, notably chapter 12.
4. In the absence of a satisfactory Unilateral Undertaking or Section Legal Agreement in respect of Affordable Housing and Public Open Space Provision and maintenance, it has not been demonstrated that the infrastructure required to make the development acceptable in planning terms has been secured and, therefore, the application is deemed contrary to policy ACS19, LPD21, LPD36 and guidance within the Affordable Housing SPD and New Housing Development SPG for Open Space Provision.

The Planning Inspector agreed with the Council on all four points noting; firstly, that the application site was not immediately adjacent to the settlement and therefore did

meet the criteria of policy ACS8 as an acceptable rural exception site. Secondly, the self-build units would be open market units in the green belt, which is in-appropriate development within the Green Belt, with no over special circumstances to allow such development. Thirdly, the layout of the proposed development was at odds with the rural character of the area. Fourthly, there was no legal agreement to secure requisite contributions for the dwellings as affordable or public open space.

As a result, the appeal has been dismissed.

Recommendation: To note the information.