The Planning Inspectorate

Appeal Decision

Site visit made on 20 June 2017

by C J Anstey BA (Hons) DipTP DipLA MRTPI

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

Decision date: 26 July 2017

Appeal Ref: APP/A2525/W/16/3163115
Land at Pipwell Gate, Saracen's Head, Spalding, PE12 8BA.

- 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 Mr M Ayres against the decision of South Holland District Council.
- The application Ref H23/0587/16, dated 13 June 2016, was refused by notice dated 26 August 2016.
- The development proposed is residential development.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Records indicate that the appeal site may have been used in connection with the adjacent saltern (i.e. salting making) complex. In the event of planning permission being granted the necessary archaeological investigations required could be secured by suitably-worded planning conditions.

Main Issue

3. The main issue is whether occupants of the proposed housing would have acceptable access to services, facilities and employment opportunities.

Reasons

Description

4. Saracen's Head is a small village located in the Lincolnshire countryside. The main built-up part of the village lies to the east of the A17. The appeal site is located to the west of the A17 amongst a number of properties that line this part of Pipwell Gate. The site is a field and measures about 0.39 ha in area. The appeal application was made in outline form with all matters reserved for subsequent approval. The proposal is for residential development and the submitted indicative layout shows four sizeable detached dwellings fronting on to Pipwell Gate.

Development plan

5. *Section 38(6)* of the *Planning and Compulsory Purchase Act 2004* requires that any application for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The

development plan for the area includes the *South Holland Plan 2006 (SHLP).* The appeal site lies within the countryside as defined in the *SHLP.* There are a number of saved policies in the *SHLP* that are relevant to the determination of this appeal and these, together with the weight to be afforded to them, are referred to in the reasoning below.

6. It is understood that the *South East Lincolnshire Plan* has recently been submitted to the Secretary of State for independent Examination. As this plan has some way to go before adoption and may change in the time before then I have afforded its contents little weight.

Access to services, facilities & jobs

7. It is a fundamental component of good planning that new housing development is located where there is reasonable access to services and facilities and employment opportunities, and a choice of modes of transport is available. This ensures that future residents have ready access to shops, schools, health-care facilities and other essential services and facilities, as well as jobs, and are not reliant on car-borne journeys. In this way housing development is avoided in areas where the provision of services, facilities and employment is limited and instead steered towards centres where provision is better. As a result sustainable patterns of development are encouraged and development in settlements with few facilities and in the countryside is minimised. Sound planning also means locating development where it would encourage walking and cycling for accessing any services and facilities that may exist in the local area.

8. Saracen's Head has very few services and facilities and it would appear few job opportunities. Public transport links in the area appear to be limited. Consequently it is likely that future occupiers of the proposed dwellings would have to rely on the use of the private car to access services, facilities and jobs in the wider area. As a result it is likely this would in turn increase carbon emissions. In view of this the settlement is not well-suited to accommodate additional housing development, even of a limited scale. Furthermore the appeal site's location on the west side of the busy A17 is likely to mean that future residents would be deterred from walking or cycling to the main part of the village.

9. It is evident from my site visit that within the local area there are various areas of undeveloped land situated amidst scattered groups and ribbons of development and with similar characteristics to the appeal site. If the appeal proposal were to be allowed to proceed it would make it difficult to resist development on such sites. The cumulative effect of such development would be to severely prejudice the Council's ability to secure a sustainable pattern of development within this part of the District.

10. I conclude, therefore, on the main issue that the occupants of the proposed housing would have poor access to services, facilities and employment opportunities. This brings the scheme into conflict with *SHLP Policy SG1: General Sustainable Development* which seeks to ensure that proposals are consistent with the principles of sustainable development. It is also at odds with *SHLP Policy SG4: Development in the Countryside* which, amongst other things, is designed to protect the countryside from sporadic development and indicates that within the countryside planning permission will only be granted for that which requires such a location. As these policies are in general accord

with the contents of the *National Planning Policy Framework (the Framework),* and not out of date, they are attributed full weight.

Other matters

11. Concerns have been raised about the impact on highway safety, residential amenity and drainage. However, having considered all the material before me, including the views of statutory authorities and the various reports submitted, the proposal is unlikely to have a detrimental impact on these various matters and therefore they do not constitute grounds for dismissing the appeal.

Balance of considerations

12. The Council accepts that it does not have a five year supply of deliverable housing sites. According to the Council's statement there is about three years supply. As a result *paragraph 49* of the *Framework* applies and the relevant policies for the supply of housing are deemed to be out of date for the purposes of *paragraph 14* of the *NPPF*. In this case the relevant policies include *SHLP Policy SG2: Distribution of Development* and *SHLP Policy SG3: Settlement Hierarchy.* I afford these policies very little weight in the determination of this appeal

13. As there are no specific policies in the *Framework* that indicate that development here should be restricted the proposal should be considered against the 1st indent of paragraph 14/4th bullet (i.e. whether any adverse impacts of granting permission significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole).

14. *Paragraph 14* of the *Framework* makes it clear that there is a presumption in favour of sustainable development, which has three dimensions: economic, social and environmental. In my judgement the appeal scheme would fulfil the economic role of sustainable development and would contribute to building a strong, responsive and competitive economy, by helping to ensure that there is housing land available to support growth. Furthermore it would be likely to increase expenditure in the local area and generate jobs in the construction industry. In terms of the social dimension the scheme would contribute to boosting housing supply in a district where the supply of deliverable sites is significantly below 5 years, albeit by a small amount. The proposed dwellings would add to the choice of properties available in the area and could provide an opportunity for self-build dwellings. These economic and social benefits must be accorded substantial weight.

15. As regards environmental considerations, however, the occupants of the proposed housing would have poor access to services, facilities and employment opportunities. Furthermore, if the appeal proposal were to be allowed to proceed, it would make it difficult to resist development on various similar sites in the local area. The cumulative effect of such development would be to severely prejudice the Council's ability to secure a sustainable pattern of development within this part of the District. Considerable weight needs to be afforded to these adverse impacts.

16. In my judgement the adverse impacts identified significantly and demonstrably outweigh the benefits, when assessed against the policies in the *Framework* as a whole. In view of this finding the proposed scheme does not constitute sustainable development. Consequently the 'presumption in favour' set out in *the Framework* does not apply.

Overall Conclusion

17. My overall conclusion is that the proposal is contrary to the development plan and that other material considerations do not outweigh this conflict. *Paragraph 12* of the *Framework* indicates that in such a situation development should be refused. Consequently there are compelling grounds for dismissing the appeal. None of the other matters raised, including the requirements of the owner and the argument that the site could become derelict, outweigh the considerations that have led to my decision.

Christopher Anstey

Inspector