
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/17/3169104

Land off Stockwell Gate, Whaplode, Spalding, PE12 6UE.

- 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 & Mrs Seymour against the decision of South Holland District Council.
 - The application Ref H23-0814-16, dated 15 August 2016, was refused by notice dated 5 December 2016.
 - The development proposed is residential development.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) the effect on the character and appearance of the local area and the rural setting of the village; and
 - (ii) whether occupants of the proposed housing would have acceptable access to services, facilities and employment opportunities.

Reasons

Description

3. The appeal site is located amidst a scattered group of dwellings just to the north-east of the main built-up part of Whaplode. It fronts onto the south side of Stockwell Gate. The site measures about 0.27ha in area and is part of a field currently in use for growing crops. The appeal application was made in outline form with all matters reserved for subsequent approval. The proposal is for residential development and the appellant's statement indicates that it could take the form of 8 semi-detached dwellings or 4 detached dwellings.

Development plan

4. *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.

5. 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.

Character, appearance & setting

6. I consider that the appeal scheme would detract from the local landscape and the setting of the village. The site and the fields beyond are clearly visible from Stockwell Gate. The appeal site is undeveloped and lies beyond the existing built-up area of Whaplode. Although there are other dwellings nearby the site is clearly part of the countryside that borders this part of the village. In its current arable use the site provides a soft and pleasing edge to the village and positively contributes to the enjoyment and experience of those living in and moving around the village.
7. The construction of the proposed dwellings on the appeal site would constitute encroachment into the countryside and suburbanise the northern edge of the village to an unacceptable extent. In spite of the landscaping proposed I believe the new development would appear intrusive and cause unacceptable harm to the village's rural setting. I am also concerned that the consolidation of sporadic development here would change the prevailing character of the area and make it more difficult to resist the development of other nearby areas of countryside.
8. I acknowledge that the landscape around Whaplode, of which the appeal site is a part, is not rare, or of exceptional quality. However this does not alter my finding that the proposal would cause real harm to the local landscape and the rural setting of the village. Detailed design, siting, layout or landscaping would be unable to ameliorate this harm to an acceptable extent.
9. I conclude, therefore, on the first main issue that the proposal would cause severe damage to the character and appearance of the local area and the rural setting of Whaplode. This brings the scheme into conflict with *SHLP Policy SG14: Design and Layout of New Development* which specifies that development that would have an adverse impact on the character and appearance of the locality will not be permitted. 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 significant weight.

Access to services, facilities & jobs

10. From the information submitted it is unclear whether there are many job opportunities in Whaplode. Although public transport links in the area may be limited it is evident that there are a number of other services and facilities located in the village. With this in mind the Council identified Whaplode as a local service centre in the *SHLP* and judged it capable of accommodating new development to support this role. From the appellant's statement it would appear that the Council continue to believe that it is a suitable location for new

development as housing sites in the village have been identified in the emerging local plan. The appeal site adjoins the main built-up part of the village and there are footway links towards the centre of the village. Consequently the appeal site is reasonably well-located for access to the various services and facilities in the village. Given the short distances and the nature of the routes available future occupiers would have the option of walking or cycling into the village if they so wish rather than relying on the use of the private car.

11. I conclude, therefore, on the second main issue that the occupants of the proposed housing would have reasonable access to services and facilities. This means that the scheme accords with national planning policy which seeks to ensure that new housing is well-located in relation to access to services and facilities and that car journeys are minimised.

Other matters

12. Concerns have been raised about the impact on highway safety. 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 highway safety and is therefore not grounds for dismissing the appeal.

Balance of considerations

13. The Council accepts that it does not have a five year supply of deliverable housing sites. According to the appellant's statement there is currently less than 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*, *SHLP Policy SG3: Settlement Hierarchy SHLP* and *Policy HS6: New Housing in the Group Centres (Non-Allocated Sites)*. I afford these policies little weight in the determination of this appeal
14. 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).
15. *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 or lower priced dwellings. The occupants of the proposed housing would also have reasonable access to services and facilities.

These economic, social and environmental benefits must be accorded substantial weight.

16. The proposal, however, would cause severe damage to the character and appearance of the local area and the rural setting of Whaplode. No essential need for the development to be located in this area of countryside has been demonstrated. Furthermore the consolidation of sporadic development here would change the prevailing character of the area and make it more difficult to resist the development of other nearby areas of countryside. Considerable weight needs to be afforded to these adverse impacts.
17. 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 *NPPF* does not apply.

Overall Conclusion

18. 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 various housing developments that have been approved in the area, outweigh the considerations that have led to my decision.

Christopher Anstey

Inspector