
Appeal Decision

Site visit made on 12 October 2017

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 03 November 2017

Appeal Ref: APP/A2525/W/17/3178405

Adjacent to 74 Fleet Road, Holbeach, Spalding PE12 8LD

- 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 Mrs C Wright against the decision of South Holland District Council.
 - The application Ref H05-1261-16, dated 7 December 2016, was refused by notice dated 7 March 2017.
 - The development proposed is described as "5 No: Houses and Garages".
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Decision

1. The appeal is dismissed

Procedural matter

2. The application that led to this appeal was in outline; however, the only matter reserved for later consideration was the scale of the proposed development. I have assessed the planning merits of the appeal on this basis and have treated the plans as illustrative insofar as they relate to the scale of the proposed development.

Main Issues

3. The main issues in this appeal are firstly, the effect of the proposed development on the character and appearance of the area; and secondly, whether the appeal site would constitute a suitable location for housing having regard to local policy.

Reasons

Character and appearance

4. The appeal site is a broadly level field of an agricultural character, bounded by hedgerows and mature trees to three of its sides. The front of the appeal site addresses Fleet Road, and is separated from it by a dyke. The appeal site is at the end of a ribbon of residential development which extends from Holbeach; however, beyond it development is more sporadic and dispersed. To the rear of the site there is a wide expanse of open fields with some scattered development addressing Haycroft Lane, and across Fleet Road, there are further fields and two substantial dwellings, in large and well-vegetated grounds set deeply back from the road. The open agricultural appearance of the appeal site marks a clear break from the more consolidated development

towards Holbeach and the more dispersed rural development pattern in the other direction, and contributes to the distinctive rural character of the area.

5. The appeal scheme would see the residential development of the site with five detached dwellings of a broadly L-shaped plan each with a detached garage with an access crossing over the dyke. The houses and their private access drive would run more or less parallel to Fleet Road and would be set back behind the existing hedgerow and trees at the appeal site's front.
6. The appeal scheme would introduce a considerable amount of material development including the houses, access road, garages and hard-standing on to the appeal site. This would not only substantially erode its existing agricultural character, but also introduce a density and extent of residential development at variance with the character of its immediate surroundings wherein the development pattern is considerably more dispersed than elsewhere along Fleet Road. As a consequence the proposed development would be an incongruous and intrusive feature, which would cause significant harm to the character of its site and surroundings, and would serve substantially and permanently to erode the gap between the settlements abutting Fleet Road. In arriving at this view, I am mindful of the similarities in plot sizes between the proposed development and No 74. However, as the appeal site marks a clear visual break between the more consolidated development pattern that ends at No 74 and the more rural and dispersed character of development in the other direction, this matter does not weigh in favour of the appeal scheme to any material degree.
7. I note the appellant's comment that the appeal site itself is not of a scale to be economically viable on its own for agricultural purposes, and that it is currently managed by an arrangement with a local farmer. However, I have no substantive evidence before me to suggest that such management arrangements could not continue, or if they ceased that the site would necessarily become disused and unsightly. Consequently, this is a matter that does not weigh in favour of the proposed development in character and appearance terms.
8. Therefore, for the reasons given above, the proposed development would cause significant harm to the character and appearance of the area. As a result, it would conflict with Policies SG1 and SG14 of the South Holland Local Plan (adopted July 2006) (the Local Plan), insofar as they seek to ensure that development proposals make a positive contribution to the essential character, appearance and visual quality of their surroundings.

Location

9. The appeal site is outside of the settlement boundaries established in the development plan. Policy HS7 of the Local Plan establishes that residential development within such areas would only be permitted where it is proven to meet the essential needs of agricultural, forestry or other workers, or is a proposal for small-scale rural exception affordable housing.
10. I have been supplied with no substantive evidence to suggest that the proposed development would meet an essential need to house agricultural or other rural workers. Moreover, no material has been submitted to suggest that the proposed development would comprise affordable housing units for the purposes of the National Planning Policy Framework (the Framework).

11. Consequently, it has not been demonstrated that the appeal site would constitute a suitable location for housing having regard to local policy. As a result the proposed development would conflict with Policy HS7 of the Local Plan insofar as it seeks to manage housing development in the open countryside.

Other Matters

12. The Council cannot demonstrate a 5-year supply of deliverable housing land. I am mindful that preparation of the South East Lincolnshire Local Plan (SELLP) is at an advanced stage with an Examination in Public currently ongoing. Whilst the SELLP includes proposed housing allocations including significant sites within the Holbeach settlement, I have been supplied with no substantiated evidence regarding the outstanding objections to these matters. As a consequence, I attach only moderate weight to the SELLP in the overall planning balance. Accordingly, I am mindful of the Framework in this regard, which states, at paragraph 49 that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."
13. Where development plan policies are out-of-date, the presumption in favour of sustainable development set out in paragraph 14 of the Framework is engaged. This states that permission should be granted for development proposals unless the "adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole".
14. The proposed development would supply housing units which would help to meet the district's under-supply, and contribute, albeit in a relatively modest way to the Framework objective of boosting significantly the supply of housing. Moreover, the appeal site is reasonably close to a range of services in Holbeach and its environs; and has an existing frontage onto a road which is a bus route, with extensive footways and good street-lighting. Consequently, I consider that the proposed development would be reasonably accessible by a range of transport modes. I readily accept too that the appeal site could be serviced by existing utilities, and provide adequate car-parking and amenity space. Consequently, these matters, taken together, are social benefits that weigh in favour of the proposed development; however, due to the modest number of units proposed these benefits attract only moderate weight in the overall planning balance. Furthermore, the appeal site's accessibility also attracts some weight in its favour from an environmental point of view.
15. I note that the proposed development could supply housing attractive to managerial and professional people to be employed in industrial developments mooted in the current and emerging development plans, and that this could help to address identified skills shortages. This may be the case; however, due to the small scale of the proposal this is a matter that attracts only modest supporting weight in its favour. Similarly, the economic benefit that would accrue during the appeal scheme's construction phase is a matter that carries modest weight in its favour due to the small amount of dwellings proposed.
16. The appellant makes references to self-build opportunities at the site, and I note also their comments regarding the lack of specific policies regarding this

type of development in either the extant or emerging development plans. However, an absence of substantive detail in these regards suggests that this is only a theoretical possibility at this stage and accordingly attracts minimal weight in the overall planning balance.

17. Whilst I note aspirations to recycle waste and produce a development with a low carbon footprint, a lack of more definitive details in these regards means that the matter only attracts modest weight in favour of the proposed development.
18. I have been supplied with no substantive evidence that supports the assertion that the site constitutes previously developed (brownfield) land for the purposes of the Framework; and moreover, the application form identifies the appeal site's use as farmland. It has not been demonstrated therefore that the appeal site constitutes previously developed land, and consequently, this matter does not weigh in the proposed development's favour.
19. I note that the local highway authority made no objection to the proposed development; that the site is not in an AONB, Green Belt, Conservation Area, or Green Wedge; and that trees could be protected during the course of development. However, these matters merely evidence an absence of harm in these regards rather than positive benefits of the scheme and therefore have only a neutral effect on the overall planning balance.
20. The appellant considers that the relevant settlement boundary in the Local Plan is too tightly drawn around existing development and should extend to Haycroft Lane which in their opinion is a more natural boundary, and thus include the appeal site. However, this is a matter more relevant to the ongoing Examination in Public of the SELLP, and consequently does not weigh in favour of the proposed development to any material degree.

Conclusion

21. The proposed development would provide social benefits through delivery of housing to help reduce the district's 5-year undersupply in a reasonably accessible location, and would deliver some economic and environmental benefits also. However, in the overall planning balance these benefits are significantly and demonstrably outweighed by the proposed development's significant adverse impact to the character and appearance of the area, which is a clear and permanent environmental harm. Consequently, the appeal scheme would not comprise sustainable development for the purposes of the Framework.
22. Moreover, as the need for the proposed development does not outweigh its harmful effects to the character and appearance of the area it would not meet the expectations of Policies SG2 and SG4 of the Local Plan. Taken together, and amongst other things, these policies seek to ensure that development has regard to sustainable development principles, and avoids unacceptable impacts to landscape character. As the benefits of the appeal scheme are not of a sufficient weight to justify a departure from these or the aforementioned development plan policies in this instance, I conclude, for the reasons given above, and having regard to all other matters raised, that the appeal should be dismissed.

G J Fort

INSPECTOR