The Planning Inspectorate

Appeal Decision

Site visit made on 20 November 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 13th December 2017.

Appeal Ref: APP/A2525/W/17/3181360
Onslow House Rest tHome, Onslow Lane, Gedney Drove End, Spalding PE12 9RZ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs C Ward against the decision of South Holland District Council.
- The application Ref H06-0452-17, dated 4 May 2017, was refused by notice dated 29 June 2017.
- The development proposed is a residential development of single dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is no dispute between the parties that the Council cannot demonstrate a 5 year supply of housing. In such situations paragraphs 47 and 49 of the "*National Planning Policy Framework*" (the Framework) state that the relevant policies for the supply of housing should not be considered up to date and that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This balancing exercise will be returned to later in the decision.

Main Issue

3. The main issue is whether the development would conflict with the development plan and if so, would any other considerations indicate that the permission should be granted.

Reasons

4. The appeal site comprises a rectangular plot of garden land to the south-west of Onslow House. Despite the loose arrangement of dwellings to the east, the surrounding area is lightly settled and unmistakably rural. There is no dispute between the parties that the site is located outside the settlement boundary of Gedney Drove End. Policy SG4 of the "*South Holland Local Plan 2006*" (the LP) only makes provision for new housing where it is proven to be essential in that location; for example, to meet the needs of rural workers or for affordable housing. It is not part of the appellant's case that the proposal accords with any of the exceptions set out in Policy SG4 and therefore the development would conflict with the development plan in that regard.

5. However given the age of the LP and the Council's 5-year housing supply position, the matter clearly does not end there and it is necessary to consider the development against policies in the more recent Framework. Paragraph 55 of the Framework states that housing in rural areas should be located where it will enhance or maintain the vitality of rural communities. It also states that isolated homes in the countryside should be avoided unless there are special circumstances. This fits into the overall core planning principle of supporting thriving rural communities and managing patterns of growth to make the fullest possible use of public transport, walking and cycling. The pivotal issue is therefore whether the development would be isolated in the terms of the Framework and if so, are any of the special circumstances set out in paragraph 55 met.

6. The Framework does not define what is meant by isolated. Clearly, the development site is not physically isolated, as it located on the edge of a small cluster of houses to the east. However, in the context of the guidance the assessment of isolation cannot only be a consideration of whether there are other properties near to the appeal site but rather how well the site relates to defined settlements, the level, proximity and accessibility of services and facilities and such things as whether the site has good access to public transport or is in a generally accessible location.

7. In this context, I concur with the Council that the appeal site is poorly located. There are no shops or bus stops within a reasonable walking distance of the site. The route to the local village lacks street lighting and pedestrian footways along some of its length and would therefore deter all but the most determined cyclist or pedestrian, especially in poor weather and at night. Even if the appeal site were more conveniently located in relation to Gedney Drove End, from what I saw, services and facilities therein are limited to a public house, village hall, primary school and repair garage. Accordingly, future occupants of the dwelling would be dependent on longer distance car journeys to access supermarkets, employment areas and the like. Whilst I note the potential for home deliveries, there can be no certainty that other properties in the area would be served by the same vehicle on the same round. Accordingly it seems to me that home deliveries would simply refocus traffic movements on the appeal site as opposed to the nearest supermarket.

8. The appellant points to a Call Connect bus service in support of the site's location. However, this is not a bus service in the traditional sense but rather a pre-booked service to the nearby towns and villages. There are no details of travel times or the location of local stops. Therefore, whilst it might be possible for some carefully planned journeys to be undertaken by Call Connect, the balance of probability is that for most journeys, for most purposes, in most seasons of the year, the transport mode of choice, and in most cases necessity, would be the private car. Taking all these matters in the round, I find that the development would be located in an inaccessible area even in a rural context. The development would thus conflict with LP Policy SG1 which states amongst other things that dwellings should have good access by walking, cycling and public transport to a town centre and / or to local shops and facilities.

9. However, the accessibility of the appeal site is only one of the aspects of sustainable development set out in the Framework and consideration must be given to all three mutually dependent dimensions of sustainability in paragraph 7; namely the economic, social and environmental roles.

10. In terms of the economic dimension, the development would make a modest contribution to the local economy during the construction stage. This would continue once the dwelling is occupied with the householders spending locally, although they would generally drive to the nearest facilities and almost certainly to those in the larger settlements. Accordingly, these factors only attract limited weight in favour of the proposal.

11. As to the social dimension, the scheme would make only a very modest contribution to housing provision in the area and the District's acknowledged deficit of housing supply, and there is no evidence to show that it would meet a local need. The development might in a small way enhance or maintain the vitality of rural communities in terms of the objectives in the Framework, but any gains in this regard would be relatively slight as there are not many services and facilities in the nearest village. Overall, the social benefits would be very limited.

12. Turning to the environmental dimension, the proposed dwelling would result in a loss of openness and compound built development on the edge of this part of Gedney Drove End. Notwithstanding that the detailed design might well be acceptable in other situations the dwelling would be highly prominent in views from Onslow Lane. The residential occupation of the land thereabouts and the introduction of car parking, domestic boundary treatments and residential paraphernalia would all give the land an unduly urbanised appearance thus harming its open and rural character.

13. The appeal proposal is put forward on the basis of the fourth circumstance quoted in Paragraph 55 being met, i.e. that the dwelling would be of '*exceptional quality and innovative nature*' with the different design features not seen on the majority of surrounding properties in the locality. Paragraph 55 lists four criteria by which such design might be recognised – I) that the design be truly outstanding or innovative and help to raise the standards of design more generally in rural areas; II) that it reflects the highest standards in architecture; III) that it significantly enhances its immediate setting; and IV) that it is sensitive to the defining characteristics of the local area. To meet the special circumstances required, all four criteria must be achieved.

14. The addition of the adjective '*truly*' in the first criterion implies that the bar that has to be crossed is particularly high and that few projects are likely to succeed in meeting this criterion. In my opinion, it has to be the manner in which design and innovation are combined that provide evidence for this criterion having been met. Put simply a building must possess what can best be described as the 'wow' factor. I simply do not see that in the development before me.

15. I accept that the dwelling would be built to high environmental standards. I also acknowledge that the design was endorsed by Officers at the pre-application stage and by the local Parish Council. Nonetheless, I concur with the Council that the design is neither a traditional dwelling nor a vernacular agricultural barn. Whilst the balcony and fenestration pattern would add some interest, it cannot reasonably be argued that they would elevate the design credentials of the building to the level required by the Framework.

16. Overall, I can find nothing unique or exceptional in the design, form, use of space or layout/orientation of the building, nor outstanding in the way it relates to context. I am therefore hard pressed to accord it the '*truly outstanding or*

innovative' accolade. Based on the foregoing I find that the development would conflict with one of the 12 core land-use planning principles in the Framework to recognise the intrinsic character and beauty of the countryside. This environmental harm hence weighs against the proposal.

Conclusion

17. The starting point in weighing the various factors is that the proposal would conflict with LP Policies SG1, SG2 and SG4. As to whether material considerations indicate that the permission should be allowed, paragraph 215 of the Framework makes it quite clear that its policies can override development plan when the latter is inconsistent with its provisions.

18. Given the Council's housing land supply position I consider the Council's housing policies including Policy HS7 to be out-of-date, insofar as they seek to restrict housing to defined settlements. Not only does this reduce the weight that I can attach to that policy in the overall balance but it also engages the default position identified in paragraph 14 of the Framework and shifts the balance in favour of the grant of consent.

19. The development would deliver some modest *economic* and *social* benefits consistent with the Framework. Nevertheless, either on their own or in combination, these considerations do not outweigh the significant environmental harm I have identified through the development's effect on the character and appearance of the area and the reliance on car based travel and the conflict with the development plan in that regard. I therefore find that the adverse impacts of the proposal would significantly and demonstrably out-weigh the benefits and the scheme would not constitute sustainable development.

20. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector