The Planning Inspectorate

# Appeal Decision

Site visit made on 21 March 2018

**by John Morrison BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5 April 2018**

**Appeal Ref: APP/A2525/W/17/3191568**
**Adjacent Barford, Roman Bank, Moulton Seas End, Spalding PE12 6LG**

- 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 S Watson against the decision of South Holland District Council.
- The application Ref H13-0813-17, dated 23 August 2017, was refused by notice dated 19 October 2017.
- The development proposed is a proposed residential development comprising of 3 no. dwellings.

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. I have taken the description of development as it is shown on the Council's decision notice since it most precisely describes the development to which the appeal relates. It does not fundamentally alter the proposal. As such I am satisfied that no party will be prejudiced by my use of it. I have therefore proceeded on this basis.

## Main Issues

3. There are two main issues; these are a) the principle of the proposed development with specific regard to its location and b) the effect of the proposed development on the character and appearance of the area.

## Reasons

*The Principle of Development*

4. The appeal site is the corner of a currently ploughed agricultural field abutting the residential curtilage of a property known as Barford. Whilst I have not been provided with a copy of a Local Plan[1] inset map for Moulton Seas End, there is every indication from both the Council's evidence and my observations on site that the appeal site does not form part of its built up area. On this basis therefore, by definition and in planning terms, the appeal site in the countryside.

[1] South Holland Local Plan 2006

5. The appeal site is closely related in spatial terms to Moulton Seas End since it abuts the existing built edge. Consequently any development thereof would not be truly isolated. Be this as it may, Moulton Seas End is not identified as one of the settlements in the district where new development should be directed in principle terms[2] since its lacks a suitable range of services necessary to support it and thus reduce the need for new occupiers to travel. In addition, the appeal site fronts onto a single width, unlit rural road that does not have a segregated footway.

6. I have not been advised as to any local public transport options or an accessible public rights of way network that would lead me to make any conclusion other than that future occupiers would likely rely on the use of the private car to access services, education and employment to meet their day to day needs. This is the least sustainable travel option. In essence, the appeal site would be no more accessible than one that is more remote and further away from a settlement.

7. I accept that the number of journeys that the arguably small scale of the proposed development would generate would not be significant and public transport solutions will vary from urban to rural areas[3]. However, to justify the development on this ground alone would to my mind be weak given how often it could be repeated for similar small rural sites. The proposed development would not be for any type that is defined by saved Policy SG4 or the Framework[4], nor has there been a convincing case presented that any development would enhance or maintain the vitality of rural communities[5].

8. Taking all of these factors into account, the principle of the appeal scheme would be unacceptable and serve to encourage unsustainable patterns of new development. It would therefore be contrary to the aims of the Framework in this respect as well as saved Polices SG2 and SG4 of the Local Plan. These policies aim to, amongst other things, ensure that new development is directed to those settlements that have ready access to a range of essential services and that it is restricted in the countryside.

*Character and Appearance*

9. As I have alluded to above, the appeal site is the corner of a field which still appears on site evidence to be part of an active agricultural operation. The current state of the site and its distinct visual separation from anything arguably urban leads me to conclude that it is part of the countryside in character as well as definition terms. This distinction is emphasised by the substantial mature landscaping to the side garden boundary of Barford. The site is part of a field that is expansive and undeveloped, extending for some significant distance across a wide, open and flat landscape.

10. The proposed development, whilst seeking outline planning permission, would comprise three dwellings. Three new buildings in this location would be highly noticeable in both the open and undeveloped landscape and extend the built edge of the settlement beyond its existing limits in ribbon form. Such encroachment would, in my view, lead to the sprawl of built form which, having regard to my findings above, would be unjustified. It would appear, in both

[2] Saved Policy SG2 of the South Holland Local Plan 2006
[3] Paragraph 29 of the Framework
[4] The National Planning Policy Framework 2012
[5] Paragraph 55 of the Framework

visual and character terms, as an awkward bolt on to the existing street scene, cut out as it would be from a large field. In essence, the development of the site would be wholly contrary to the prevailing rurality of the area.

11. For these reasons, the proposed development would be harmful to the character and appearance of the area. Thus, it would conflict with saved Policies SG4 and SG14 of the Local Plan, as well as both one of the core principles and section 7 of the Framework. Together, these policies aim to ensure that new development is of a contextually appropriate design and appearance, respects local character and distinctiveness and recognises the intrinsic beauty of the countryside.

*The Balance*

12. The Council do not dispute the fact that they are currently unable to demonstrate the supply of housing sites as required by the Framework. This would therefore engage the so called titled balance lead by paragraph 49 and set out by paragraph 14. In this case, the scheme would provide for new housing which whilst positive in an undersupply situation would be very limited in overall scale and make an equally limited contribution in the grand scheme. In this case, any associated social and economic benefits would also be limited.

13. Placing this in the context of the demonstrable environmental harm that would arise out of both the principle of the development and its effect on the character and appearance of the area I can only conclude that, on this occasion, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits. The appeal scheme would therefore not be sustainable development for which the presumption in favour applies.

**Other Matters**

14. The proposed development would unlikely affect the safe use of the highway adversely. Access is a reserved matter but there is no indication that it could not be achieved satisfactorily. This is not however a benefit to the scheme, more a lack of an adverse effect. As such it cannot be weighed against harm. The appellant also states that the proposed development could assist in local farm workers to find accommodation but I have no evidence to support the notion that any need may exist.

15. The appellant's evidence also alludes to the emerging South East Lincolnshire Local Plan, identifying that the appeal site would be adjacent to a settlement limit defined within it. I do not have a copy of the relevant map or plan relating to this document and as such am unable to form a view on how relevant this argument is. Notwithstanding, the reference is to what appears to be an as yet unadopted development plan which would attract little weight as such.

**Conclusion**

16. For the reasons set out above, whilst having regard to all other matters raised, the appeal is dismissed.

*John Morrison*

INSPECTOR