



Appeal Decision

Site visit made on 8 January 2019

by J Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2019

Appeal Ref: APP/A2525/W/18/3205489

Broadgate, Sutton St James, Spalding, Lincolnshire PE12 0JT.

- 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 Trevor Pearson against the decision of South Holland District Council.
 - The application Ref H20-0070-18, dated 15 January 2018, was refused by notice dated 22 March 2018.
 - The development proposed is described as “erection of single storey dwelling with detached garage/workshop (for hobby use) on land situated to the east of Southwell House. Land has recently been used as a paddock, but up until 1960s had barns and a chapel built on it.”
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be in a suitable location, having particular regard to the development plan and accessibility of services and facilities.

Reasons

3. Adjacent to Broadgate, the appeal site forms a paddock which was being used for the grazing of sheep at the time of my site visit. Residential development lies east and west of the site at Southwell House and Rose’s Cottages, and there are further houses clustered along Broadgate, Baulkin’s Drove, Bird’s Drove, Taylor’s Drove, and Bythorne Bank. North and south of the site, there are a number of open fields and vegetation separating the site from farm buildings south of Southwell House. Despite being close to other residential properties, the appeal site is approximately 1km as the crow flies beyond Sutton St James’ settlement development boundary defined in the South Holland Local Plan 2006 (SHLP). For the purposes of the SHLP, it is therefore within the open countryside.
4. The proposed development would result in the provision of a new home in the countryside. While the appeal site housed buildings until the 1960s, no buildings are currently on the site, and the previous buildings were not in residential use. Notwithstanding this, given the proximity of existing residential properties, the proposed development would not be far away from other buildings or people, and so would not be isolated in terms of paragraph 79 of the National Planning Policy Framework (the Framework).

5. SHLP policy SG4 states that planning permission will only be granted for development in the open countryside if it is essential in the proposed location and cannot reasonably be accommodated within defined settlement limits. SHLP policy HS7 confirms that outside defined settlement limits, new housing will only be permitted where there is a proven need for agriculture, forestry, or other workers, or it is for small scale rural exception affordable housing. The proposal does not appear to constitute affordable housing.
6. The appellant argues that the site would be large enough for the future occupiers to grow their own produce and keep some livestock. However, I have limited evidence that this would be the case and that the proposed development would enable the appellant's wife to stay at home, managing livestock and produce. Furthermore, I understand the storage and locational needs of the appellant's business. However, given the paucity of the evidence provided, I consider that this does not result in a proven need to live in this location as required by SHLP policy HS7. Additionally, no evidence has been provided which confirms that the proposal could not reasonably be accommodated within defined settlement limits as set out in SHLP policy SG4.
7. The appellant looks to support local services and facilities, both now and in later years, and has drawn my attention to paragraph 78 of the Framework with regard to enhancing or maintaining the vitality of rural communities. However, the appeal site is not particularly close to a defined settlement, where services and facilities are located. In terms of accessibility, the appellant has confirmed that local services and facilities include a butcher's shop, general store and post office, hair salon, garage, churches, and a village hall. However, given the appeal site's location, the proposed development's future occupiers would need to travel to both Sutton St James and further afield to other settlements for work, shopping, leisure and healthcare. While local residents are already likely to use their cars to access services and facilities, this proposal would add to the number of people living locally who would need to use cars to access services.
8. Given the lack of pavements and street lighting, and the distances involved, it is not likely that the proposed development's future occupiers would access services and facilities on foot, by bicycle, or by mobility scooter. Additionally, as the appellant acknowledges, public transport is limited. As such, there is likely to be an overall reliance on the private car. This would be even more likely in hours of darkness or during inclement weather. This would result in negative environmental effects in terms of the use of natural resources and carbon emissions and negative social effects in terms of accessible local services. Although I note the appellant's comments about likely advances in ecologically friendly vehicles, this is not sufficient to mitigate my concerns.
9. There is no dispute between the parties that the Council cannot demonstrate a 5 year housing land supply (HLS). The appellant considers the appeal site to be a sustainable windfall site and has confirmed that the Council's April 2016 statement identifies 2.9 years' supply. The Council has not provided me with more recent quantification of the shortfall. As such, I have no reason to disagree that the Council cannot demonstrate HLS.
10. Therefore, paragraph 11 of the Framework confirms that permission should be granted unless specific policies in the Framework provide a clear reason for refusing the development proposed or any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11. As the proposed development is for a single house incorporating a number of sustainable design measures, it would make only a very marginal difference to the identified housing shortfall locally or the national picture and so the benefits of the proposal carry only very modest weight in favour. In contrast, I consider that the adverse impacts that would result from the proposed development not being well-located with particular regard to the accessibility of services and facilities are more significant factors weighing against the proposed development. Therefore the adverse impacts would significantly and demonstrably outweigh the benefits and so the proposal would not represent sustainable development. This weighs against the grant of permission.
12. In conclusion, the proposed development would not be in a suitable location, having particular regard to the development plan and accessibility of services and facilities. Therefore, it would not comply with SHLP policies SG1, SG2, SG4 and HS7. SHLP policy SG1 refers, amongst other things, to proposals being consistent with the principles of sustainable development and reasonable measures being taken to conserve energy and natural resources. SHLP policy SG2, amongst other things, sets out a sequential approach to the location of development and refers to development being served by a choice of transport modes, wherever possible. Policies SG4 and HS7 are set out above.

Other Matters

13. I recognise that the appellant wishes to build the proposed development as a post-retirement home in a spacious and rural location, and that he may not be able to afford to purchase a house otherwise. The appellant is also content to adhere to materials and landscaping conditions. I also note that a pre-application request was made to the Council following the refusal of the planning application. These matters do not alter my findings on the appeal.
14. Reference has been made to larger developments within Sutton St James, overcrowding of villages, and the changing identity of villages such as Pinchbeck and Moulton. However, I am required to deal with the appeal before me on its own merits.
15. While concerns have been raised regarding drainage and development outside settlement boundaries, these issues have not led me to any different overall conclusion.

Conclusion

16. For the reasons given above, the appeal is dismissed.

J Gilbert

INSPECTOR