

Appeal Decision

Site visit made on 8 May 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 6 June 2019

Appeal Ref: APP/A2525/W/19/3223142

Land South of No 247 Broadgate, Weston Hills, Spalding PE12 6DQ

- 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 Applegate UK Ltd against the decision of South Holland District Council.
 - The application Ref H22-0747-18, dated 20 July 2018, was refused by notice dated 31 August 2018.
 - The development proposed is residential development and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that the South East Lincolnshire Local Plan 2011-2036 Adopted March 2019 (LP) has been adopted since the Council's decision notice was issued. I have therefore made my determination having regard to the LP rather than the former development plan policies cited in the Council's reasons for refusal of planning permission. Both main parties have had the opportunity to comment on the implications for the appeal and I am satisfied that no interested party has been prejudiced by my approach.
3. The application was made in outline with all matters reserved for future consideration and I have therefore considered the proposal on this basis. I have had regard to the site and location plans (drawing 17-2366-01).

Main Issue

4. The main issue is whether the proposed development would provide a suitable location for housing having regard to the character and appearance of the area.

Reasons

5. The appeal site is located outside of Weston Hills Settlement Boundary (WHSB) as defined in the LP. I acknowledge that the site lies between existing dwellings along Broadgate and opposite to WHSB which is defined as Other Service Centres and Settlements in LP Policy 1. While development within these settlements would normally be limited to Committed sites and infill, the appeal site lies outside of the settlement development boundaries and therefore for the purposes of the LP, the site is located within the Countryside. LP Policy 1 states that development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or

environmental benefits. The proposal is for new market housing, and given the evidence before me, there is no sufficient justification for housing of this type in this location.

6. The site is a grassed field with open countryside to the east and the area is generally characterised by sporadic ribbon development along Broadgate. While the site is not within a designated landscape area, given its open, undeveloped nature it reads as part of the wider pleasant countryside, which provides an attractive setting for the settlement. While there is an established housing estate to the north west of the site and dwellings either side of the site, given that it is a grassed field of significant width backing onto open countryside and the sporadic nature of development along this side of Broadgate, from the evidence before me and my observations during the site visit, the site reads visually as part of the open countryside rather than part of this housing development or as a gap in the street scene.
7. The proposal for residential development would not only involve the erection of houses, but also would include significant areas of new road, paved driveways and domestic gardens that would substantially alter the landscape character of the site and extend the built-up area into the countryside. While the appellant has indicated that the proposed dwellings would be designed to an appropriate scale and layout, the proposal would nevertheless lead to a significant encroachment of countryside.
8. Consequently, the proposed development would not provide a suitable location for housing having regard to the character and appearance of the area. Therefore, it would conflict with LP Policy 1 which directs developments within settlement boundaries and with LP Policies 2 and 3 which seek developments that meet considerations including the character and appearance of the area. The proposal would also conflict with paragraph 127 of the National Planning Policy Framework (Framework) in this regard.

Other Matters

9. I acknowledge the evidence relating to the Government's objective of significantly boosting the supply of homes and the contribution that small sites can make to local housing requirements. While the proposal would contribute to the local housing supply, given that the indicative plans show five dwellings, this benefit would be modest and would not outweigh the significant environmental harm in terms of the adverse effects on the character and appearance of the area identified above.
10. I recognise that the accessibility of services and facilities is not an area of dispute between the main parties and that the site would not be isolated in the terms of the Framework as well as the evidence relating to accessibility of local services and facilities. However, I have reservations in respect to the range of services and facilities available in the village being sufficient to meet the day to day needs of its residents such that it may not remove entirely a reliance on the private motor car for daily requirements. Nevertheless, this has not been determinative and has not altered my overall decision.
11. While I acknowledge concerns regarding the proposal setting a precedent for future development, each case must be determined on its own individual merits and I have given this point limited weight.

12. I note the comments of the Inspector for another case at land off Broadgate, however, from the evidence before me, that appeal was determined under a different development plan and while both proposals were submitted in outline, that case concerned a greater number of proposed dwellings. Therefore, that case is not directly comparable to this appeal.
13. I note local concerns including matters relating to light, drainage and flooding, wildlife, highways matters and noise and disturbance. However, whilst I note the Council did not object to the proposal on these grounds, as I am dismissing the appeal for other reasons I have not considered these matters any further.
14. I acknowledge that the development may be immediately deliverable and may cater for local and market need, and that the proposal may not have other adverse effects in terms of matters including outlook, space standards and garden areas subject to consideration of reserved matters. However, these have not altered my overall decision.
15. None of the other matters raised outweigh or alter my conclusions on the main issues.

Conclusion

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

R Sabu

INSPECTOR