The Planning Inspectorate

Appeal Decision

Site visit made on 14 November 2017

by R A Exton Dip URP MRTPI

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

Decision date: 23rd November 2017

Appeal Ref: APP/A2525/W/17/3182587
Eastfield House, 10 Beck Bank, Gosberton Clough, Spalding PE11 4JL

- 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 Mr and Mrs Hill against the decision of South Holland District Council.
- The application Ref H08-484-17, dated 17 May 2017, was refused by notice dated 4 July 2017.
- The development proposed is described as proposed outline application for two dwellings (Resubmission of Application H08-0918-16).

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site represents an appropriate location for residential development having regard to the development plan and the National Planning Policy Framework.

Reasons

3. The appeal site is situated on the eastern side of Beck Bank and forms part of a small cluster of development close to the junction with the B1397. It forms part of the garden of Eastfield House and is generally bounded by varying types and heights of vegetation.

4. In the South Holland Local Plan adopted in 2006 ('the Local Plan') the site lies within the countryside. Here, Policy SG4 restricts development to that which is essential and cannot reasonably be accommodated within defined settlement limits. The proposal does not meet any of the exceptions set out within Policy SG4 that allow for development and there is no evidence to demonstrate that it cannot be accommodated within the limits of a defined settlement limit. Consequently, the proposal would conflict with Policy SG4. In doing so it would also conflict with the approach to distribution of development set out in Policy SG2 and the principles of sustainable development contained within Policy SG1.

5. The Council acknowledges that it cannot currently demonstrate a 5 year housing land supply. In light of this I consider the above policies are out-of – date. Consequently, the provisions of paragraph 14 of the National Planning Policy Framework ('the Framework') are triggered. This requires planning permission to be granted unless any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

6. The appeal site lies a significant distance from the nearest local services located towards and within Risegate and which are of a limited nature. The rural nature of roads that would have to be used to access these services, including their limited levels of lighting would mean that future occupiers of the proposal would be most likely to rely on the on the private car for transport. The local services would be unlikely to provide for all the day to day needs of future occupiers meaning that they would also be likely to be reliant on the private car to access those further afield.

7. I note the availability of the Callconnect bus service and the procedure for using this. However, due its pre-booking requirement I consider that occupiers would be most likely to be reliant on the private car for trips made at short notice or of an uncertain duration.

8. The proposal would make a limited contribution to boosting the supply of housing in the district. However, this would be in an unsuitable location for the reasons identified above.

9. I note the appellants' reference to other planning approvals and appeals in the area. From the evidence before me I consider these sites are in different locations with consequently different relationships to other development including local services. I can therefore only afford them very limited weight. I have in any case considered the proposal on its own merits and the developments referred to do not lead me to a different conclusion.

10. The appellants' identify the sites inclusion within the submission draft of the South East Lincolnshire Local Plan, March 2017, in support of the proposal. As this document has not been examined and consequently is un-adopted I can only afford it very limited weight.

11. Section 38(6) of the Planning and Compulsory Purchase Act requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is the South Holland Local Plan adopted in 2006. Whilst I have concluded that the proposal conflicts with the policies identified above, these are out-of-date due to the Councils lack of a 5 year housing land supply. However, when assessed against the policies of the Framework as a whole, the unsuitable location of the proposal would significantly and demonstrably outweigh the benefits of the limited contribution it would make to boosting the supply of housing within the district. I therefore conclude that the proposal would not constitute sustainable development.

Other matters

12. The Council's second reason for refusal relates to the lack of a footpath or street lighting to serve the appeal site. However, the explanatory text to Policy SG15 of the Local Plan to which this reason refers explains that it relates to safety and functional requirements. Although I have found that the site is an unsuitable location for residential development for the reasons set out above, there is no evidence before me to demonstrate that the safety and functional aspects of the proposed access are inadequate. I therefore find no conflict with Policy SG15.

Conclusion

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

Richard Exton

INSPECTOR