The Planning Inspectorate

Appeal Decision

Site visit made on 18 March 2019

by A Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 08 October 2019

Appeal Ref: APP/A2525/W/18/3217921
Morningside Nurseries, Dog Drove North, Holbeach Drove, Spalding

- 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 & Mrs R Holmes against the decision of South Holland District Council.
- The application Ref H09-0632-18, dated 25 June 2018, was refused by notice dated 7 September 2018.
- The development proposed is the erection of a new dwelling.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made with all matters except access reserved and I have determined the appeal on this basis.

3. Since determination of this application a revised National Planning Policy Framework ('the Framework') has been published in February 2019. I have had regard to the revised Framework in determining this appeal.

4. The South East Lincolnshire Local Plan (SELLP) was formally adopted on the 8 March 2019, after the appeal was submitted. In these circumstances, I am required to determine the appeal against the current development plan and the appellant's views have been taken into account in this decision.

Main Issue

5. The main issue is whether or not the appeal site would be suitable for a dwelling, having regard to policies for the location of new housing, accessibility to services and facilities, and the character and appearance of the area.

Reasons

6. The area of Dog Drive North is characterised by a collection of settlements within relatively close proximity to each other all exhibiting certain unique characteristics and a level of consistency in settlement form. These settlements include Holbeach Drove and Waplode Drove, both of which have the scale of small villages with some services and amenities existing within them.

7. The overall character of the area is therefore one of small, linear villages. As a result there is a form of nucleation of settlement where defined village forms are recognisable. Dog Drive North itself exhibits many of the characteristics of

a typical village form with mature trees and sheltered garden areas around village houses.

8. The appeal site is located outside of defined centres and settlements under spatial SELLP Policy 1. As such it is located within defined countryside and this policy only permits development in such areas where it is necessary in such a location or where it meets the sustainable needs of the area. I have no evidence before me as to the necessity of the development in this location. Therefore, I shall now turn to the question of sustainability under this policy and SELLP policy 2, which indicates planning permission for development will be permitted provided that sustainable development considerations are met.

9. The Framework explains that there are three interdependent dimensions to sustainable development, social, economic and environmental. The Council has not confirmed a 5year housing land supply (5YHLS). However, even with a deficiency, the contribution of one dwelling would only make a limited contribution to supply and building a strong competitive economy.

10. Although I consider that there may be some benefit through the occupants of this proposed dwelling to local services and larger local centres, the likelihood is that journeys to and from nearby places would be made by private car. Although The Stores shop at the junction of Holbeach Drive Gate and the B1166 is not a great distance away, there is no dedicated footway, street lighting or curbs to the highway. As a result I do not consider that adequate pedestrian infrastructure exists to make even this short journey attractive and as such the requirement to use the private car will be even greater.

11. Evidence has been brought before me of local bus services, but I have no evidence as to the frequency or reliability of such services and as such I can only give this matter limited weight.

12. Turning to the environmental dimension, the proposed development site itself forms a small corner of an existing nursery site whose greenhouses stretch towards the west and where large areas of hard standing dominate the site frontage. There are several residential dwellings nearby and the proposed division of the site would present a residential frontage to Dog Drive North.

13. The site is not very visible from the surrounding countryside due to other buildings upon the site providing a visual buffer between the open fields beyond and the location of the proposed dwelling. As such development here would have very limited impact upon the openness of the surrounding countryside as a result.

14. However, the proposal shows a building set back within its site, but when compared with most of the other plots nearby, the proposed plot is relatively small. The result will be one where the proposed house is more noticeable within the village. There is also a distinct rural feel to the area given the proximity of agricultural uses and buildings. Therefore, the development of this plot for residential purposes, with little physical space to mitigate the visual impacts of, parking and domestic paraphernalia, would result in a noticeable form of urbanisation harming the character and appearance of the area in a significant manner.

15. For all these reasons, the proposal would not represent high quality design sustainable development, and there would be conflict with SELLP policies 1, 2 and 3.

Other Matters

16. For the purposes of the Framework, the site cannot be considered isolated because, although obviously rural, there are defined clusters of built development nearby and this site is located well within existing development that characterises Dog Drive North. Accordingly, the Framework policy seeking to avoid isolated housing here unless specific circumstances applies is not applicable. As such I conclude that the site cannot be considered isolated for the purposes of Paragraph 79 of the Framework. Nevertheless, this does not alter my conclusions on the visual harm of the proposal.

17. Based on the evidence before me, there is no 5YHLS. However, even if I were to apply the tilted balance under the paragraph 11 d) ii, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, for the reasons indicated previously. In this regard, the adverse impact on character and appearance would be significant whilst the benefits would be limited.

18. Planning permission has been recently granted for a new dwelling nearby. However, this permitted development covers a larger plot than that before me and the decision to permit was made prior to the adoption of the SELLP. Thus, there are material differences between this development and that proposed here. In any case, every application must be dealt with on its merits. For similar reasons, only limited weight has been attached to an appeal decision submitted by the Council.

Conclusion

19. For all the reasons given above, there are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan. Planning permission should be refused. Having regard to all other matters raised, I conclude that the appeal should be dismissed.

A Graham

INSPECTOR