The Planning Inspectorate

Appeal Decision

Site visit made on 25 September 2024

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2024

Appeal Ref: APP/A2525/W/24/3343812
Opposite Regency House, Lutton Gowts, Long Sutton PE12 9LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mrs Wendy Morris against the decision of South Holland District Council.
- The application Ref is H12-1059-23.
- The development proposed is 5 new houses.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline form, with all matters reserved for future consideration. I have considered the appeal on this basis but had regard to the indicative site layout insofar as it is a potential way that the appeal site could be developed as proposed.

Main Issues

3. The main issues are: (a) whether the proposed development would be in a suitable location, having regard to its location within the countryside; and (b) the proposal's effect on the character and appearance of the area.

Reasons

Suitable location

4. The appeal site lies outside of any settlement boundary as defined in the South East Lincolnshire Local Plan 2011-2036 (SELLP) and is therefore in the countryside. SELLP Policy 1 outlines the spatial strategy for the district and ranks existing settlements deemed to be most sustainable in descending order, taking into account various factors such as housing, infrastructure, facilities and services, and flood risk.

5. Owing to the site's location, development in the countryside 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 an area in terms of economic, community, or environmental benefits.

6. Notwithstanding the linear development along pockets of Lutton Gowts, the settlement boundary of Long Sutton is around 200 metres away. Developing the site for housing would result in the introduction of five new homes on undeveloped agricultural land. They would add to the supply and mix of housing in the district in a modest but important manner, given the emphasis of the National Planning Policy Framework (the Framework) to significantly boost the supply of new homes. However, the Council is currently able to

demonstrate a deliverable supply of housing sites above the minimum requirement, and there is no explanation as to why the proposed houses could not be accommodated elsewhere in the district in accordance with the spatial strategy. In doing so, the same limited economic benefits relating to the construction and future occupation of the dwellings would materialise. Future occupants may also be closer to facilities, services, and places of employment.

7. No specific community benefits have been advanced, and although the appellant may be open to ideas, my findings relate to the development proposed. No local need has been identified, though the site is not isolated given the nearby residential development. The proposal would also make effective use of the land, and the homes could be designed to mitigate and adapt to climate change, including moving to a low-carbon economy. Yet these are not benefits; they are simply local and national policy expectations. The same applies to the proposal's effect on the natural environment, which I shall consider on the next main issue.

8. Therefore, even if I were to consider that there would be no environmental harm arising from the proposal, I conclude that the proposed development would not be in a suitable location, having regard to its countryside location. Significant harm would be caused as a result, and conflict would arise with SELLP Policies 1, 11, 17, and 19, which jointly, among other things, seek to direct housing development in accordance with the settlements set out in the spatial strategy, which are the most sustainable settlements to enable access to everyday facilities and services, unless the proposal meets the criteria for a rural exception site.

9. The proposal would not, however, conflict with SELLP Policy 10, as this policy purely seeks to ensure the delivery of housing in the plan period. SELLP Policy 20 is not relevant as it relates to accommodation for Gypsies, Travellers and Travelling Showpeople, which is not the development proposed. Further, SELLP Policies 22 and 23 are also not relevant given that the proposed dwellings would not be replacing any development on the appeal site or reusing any existing buildings. There would also be no conflict with Framework paragraph 84, as the appeal site's location would not result in the creation of isolated homes in the countryside. However, my finding in respect of these policies does not alter or outweigh the conflict that I have set out with other development plan policies on this main issue.

Character and appearance

10. Given that all matters are reserved for future consideration, my assessment of the proposal relates to the principal of how the appeal site could potentially be developed for the number of houses proposed, not any specific scheme.

11. Developing the appeal site for housing would result in the loss of part of an open agricultural field that is part of a much more extensive expanse of agricultural fields on the eastern side of Lutton Gowts. Losing the field to an urban form of development would cause change and bring with it domestic paraphernalia. There is, however, ribbon residential development along that road to the north and south of the appeal site. That also includes domestic paraphernalia, areas of hardstanding, or gardens. As such, the local area's character and appearance are influenced by this form of development, not just the agricultural fields, despite the gaps between the ribbon development.

12. Although Framework paragraph 180 says that decisions should contribute to

and enhance the national and local environment by recognising the intrinsic character and beauty of the countryside, I consider a similar pattern of development would likely come forward on the appeal site due to its size and shape. Further, a high-quality scheme for five houses could potentially respond to the character and appearance of the area.

13. Accordingly, I conclude on this issue that the character and appearance of the area would not be harmed by developing the appeal site for housing. Hence, the proposal would not conflict with Local Plan Policies 2 and 3 or Framework paragraphs 135 and 180, which jointly seek, among other things, high-quality development that responds to the character and appearance of the area.

Other Matters

14. Although no concerns have been raised in respect of flood risk and highway safety, and a planning condition could be imposed to secure satisfactory foul and surface drainage details later, these matters do not overcome the harm that the proposal would cause or the policy conflict that flows from that.

Conclusion

15. Although I have not found the proposal harmful in respect of the second main issue, I conclude that the proposal conflicts with the development plan as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

16. For the reasons given above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR