
Appeal Decision

Site visit made on 31 May 2018

by D Guiver LLB (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 5 September 2018

Appeal Ref: APP/A2525/W/3194676

**Adj Carrington House, Common Road, Moulton Seas End, Spalding
PE12 6LG**

- 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 Alan Naylor against the decision of South Holland District Council.
 - The application Ref H13-1020-17, dated 20 October 2017, was refused by notice dated 18 December 2017.
 - The development is described as proposed residential development.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application subject to this appeal was made in outline with all matters reserved for future consideration. I have therefore considered drawings submitted with the application showing a site layout to be illustrative only and have determined the appeal accordingly.
3. Since the date of the Council's decision, the National Planning Policy Framework 2018 (the Framework) has been published and has effect. Local development plan policies that pre-date the publication should be given due weight according to the degree of consistency with the Framework.
4. I have been referred in the evidence to the emerging South East Lincolnshire Local Plan (the Emerging Plan), which is at the stage of examination in public. At this stage I cannot be certain that the Emerging Plan or specific policies to which I have been referred will be adopted in their current form and I therefore give them limited weight.

Main Issues

5. I consider the main issues to be:
 - (a) whether the proposal would be in an appropriate location with particular regard to the availability of local services; and
 - (b) the effect of the proposal on the character and appearance of the area.

Reasons

Availability of Services

6. Moulton Seas End is a small rural village some distance from Spalding which is the nearest settlement of significant size. The village is described as an 'other rural settlement' which does not have a defined settlement boundary beyond the scope of the built form. The village has few amenities beyond a public house, children's play area and village hall, and provides little, if any, services such as shops, schools, medical and dental practices. Other larger villages in the area provide some additional amenities, including shops and a doctor's surgery in Moulton, but these are not extensive and are located a significant distance away requiring considerable travel. Although the appellant states that the Moulton services would be within cycling distance private motor car journeys are far more likely to be used to carry shopping. To access more extensive services travel to towns such as Spalding would likely be required.
7. The appellant has referred to superseded Planning Policy Guidance PPG13 and to the Institution of Highways and Transportation Guidelines for Providing for Journeys on Foot in seeking to demonstrate that the appeal site would not result in an over-reliance on car journeys. However, none of the suggested acceptable walking distances given in these documents would be sufficient to access services other than the limited amenities in Moulton Seas End. While greater distances are generally acceptable for access to services by bicycle, the rural nature of the location with narrow unlit roads, in many places subject to the national speed limit in those areas between settlements, would make cycling an unattractive option, especially in colder and wetter months with fewer daylight hours.
8. There is a bus stop located a short distance from the appeal site though I have not been presented with substantive information about the number or frequency of the bus services that would service the proposed development and the likely length of some journeys to access services would make public transport a less attractive option. The spread of services across a number of different locations would also make reliance on private motor vehicle journeys more likely. While that reliance is unlikely to be significantly greater than the occupiers of existing dwellings, the proposal would be likely to result in a considerable number of additional journeys by private motor vehicle. While future occupiers of the appeal site could provide support for some of the services in Moulton Seas End and neighbouring villages there is no compelling evidence before me from which I could conclude that such support is required to make those services viable.
9. Therefore, the proposal would not accord with saved Policy SG4 of the South Holland Local Plan 2006 (the Local Plan), which seeks to ensure that development is only permitted in the open countryside where the location is essential to the proposal and the scheme cannot be accommodated within defined settlement limits.

Character and Appearance

10. The appeal site comprises a roughly rectangular plot within a larger field known as The Meadows, which is in agricultural use and is defined for the purposes of the local development plan as being in the open countryside. The site and The Meadows are bounded by Common Road to the west and dwellings on Roman

Bank to the south. Eastward beyond the site boundary, The Meadows abuts a number of agricultural buildings associated with Naylor Farms. Approximately one-third of the way along The Meadows' frontage are two dwellings at No. 28 Common Road and Carrington House, the curtilage of the latter also providing the northern boundary of the appeal site. No. 28 and Carrington House are located some distance from the dwellings on Roman Bank and are characteristic of rural outliers associated with, but physically separated and distinct from, small villages.

11. Opposite the southern quarter of the appeal site there are two modern red-brick houses on Common Road forming the outer edge on one side of a small development clustered around Grocock Close. North of these dwellings is a large area of low-level horticultural/agricultural buildings terminating roughly opposite the boundary between the appeal site and Carrington House. Beyond these buildings the area comprises open farmland on both sides of the road with a few scattered houses and farm buildings that are clearly separate from the built form of the village.
12. The open fields in this area give a clear edge to the settlement with the village forming a tight nucleus of housing ending at Roman Bank. The entrance to the settlement along Common Road provides an important transition between the built form and the countryside beyond and makes a valuable contribution to the rural character and appearance of the area. The proposed development is for up to seven dwellings on the appeal site, which would create an incongruous extension of the built form of the village into the countryside along a narrow corridor. The scheme would increase the settlement footprint beyond the site to encompass No. 28 and Carrington House and the addition of a ribbon development would have a harmful impact on the existing character of the village. The loss of the open land in this area would have a significant detrimental effect on the appearance of the area as a transition point from village to the countryside.
13. Therefore, the proposal would not accord with saved Policies SG4 and SG14 of the Local Plan, which seek to ensure that developments do not have unacceptable impacts on the landscape character of an area and make a positive contribution to the architectural and visual quality of the surroundings. Saved Policies SG4 and SG14 are compatible with the Framework, which provides at paragraph 127 that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, and should therefore be given full weight.

Housing Land Supply

14. It is common ground between the parties that the Council is currently unable to demonstrate a five-year housing land supply (HLS), although neither party has suggested what the actual HLS might be. Footnote 7 in the Framework provides that where proposals include housing, paragraph 11 will apply if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Accordingly, Policy SG4 is out of date insofar as it seeks to restrict housing development in the countryside. Paragraph 11 of the Framework provides that where local development plan policies which are most important for determining the application are out of date, a presumption in favour of sustainable development applies and that permission should be granted unless any adverse effects of doing so would significantly

and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. There are no specific policies in the Framework to protect areas or assets of particular importance that would provide a clear reason for refusing the proposal.

Other Matters

15. I have been referred to a number of decisions giving planning permission for housing in the vicinity, and of these, three are for developments in Moulton Seas End. However, two of these¹, namely a single detached house at Pipwell Gate and two detached houses in a plot immediately adjacent are completely different in scale and location and not comparable to the proposal subject to this appeal. Moreover, beyond the plans and some flood risk data for one of the applications, little of the evidence considered by the Council has been placed before me and I therefore can attach very little weight to these decisions. The proposal for five detached houses in a *cul de sac* off Seas End Road² is in an area proposed for inclusion within the settlement boundary in the Emerging Plan and the Council has attached weight to this fact in reaching its decision. The site is also surrounded by existing housing on at least three sides. From the limited evidence available to me, the circumstances of that decision are dissimilar to the facts of the case subject to this appeal and I therefore give it very little weight.
16. The remaining three decisions relate to developments in Deeping St Nicholas, Moulton Chapel and Weston Hills³, all of which are in villages with different circumstances to Moulton Seas End and, for example, are significantly closer to Spalding making public transport a more appealing option. In addition, the limited evidence provided relating to these three decisions demonstrate a number of other significant differences such as greater access to local amenities and services, including shops and schools, significant surrounding housing already existing, poorer quality land and either no detrimental impact on character and appearance or minimal impact outweighed by other considerations. Each of these reasons, insofar as they apply to each of the decisions given, distinguishes them from the application subject to this appeal to a significant degree. In any event, I must determine this appeal on its own merits.
17. I note that since the date of its decision the Council has granted permission for a significantly smaller development on the site for three dwellings adjacent to 1 Roman Bank. Such a development would not extend the built form of the village beyond Carrington House and would therefore have a significantly smaller impact on the extension of the village into the open countryside. While this grant is a material consideration, because of the significant difference in scale and the vastly reduced impact on the built form of the village, I give it very limited weight.

Planning Balance and Conclusion

18. The proposal for up to seven dwellings would assist the Council in meeting its HLS and therefore would provide a moderate social benefit. In addition there would be an economic benefit arising during construction in terms of

¹ Application Nos. H13-0683-16 and H13-0441-16

² Application No. H13-0544-17

³ Application Nos. H03-1091-15, H13-0073-16 and appeal No. [APP/A2525/W/17/3170487](#) (Application No. H22-1004-16) respectively

employment. There is no compelling evidence that would lead me to conclude there would be a significant continuing economic benefit in terms of support for services locally, because the need for travel for the majority of services means custom and patronage would be likely spread across a wide area and individual benefits would be minimal and transitory. The impact of a probable increase in journeys using private motor vehicles and the detrimental effect the proposal would have on the character and appearance of the village and the countryside would significantly and demonstrably outweigh the modest benefits likely to arise from the scheme.

19. Therefore, for the reasons given and taking into account other all other matters raised, I conclude that the appeal should be dismissed.

D Guiver

INSPECTOR