
Appeal Decision

Site visit made on 12 June 2015

by David Vickery DipT&CP MRTPI

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

Decision date: 14 July 2015

Appeal Ref: APP/A2525/W/14/3002050

Old Fen House, Old Fen Lane, Pinchbeck, Spalding, Lincolnshire PE11 3SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs E M Huntsman against the decision of South Holland District Council.
 - The application Ref H14-0490-14, dated 9 June 2014, was refused by notice dated 9 September 2014.
 - The development proposed is a proposed replacement dwelling within the grounds fronting Old Fen House.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area and on sustainable development principles.

Reasons

3. I saw that the area is primarily open countryside in a rural area, and that around the site are agricultural fields, trees and hedges with some sporadic housing, such as Old Fen House to the north and that along North Gate. The site is separated from Old Fen House by Old Fen Lane, and forms a roughly triangular shaped open and grassed area of land surrounded by hedges and low fences with some trees (especially by the eastern boundary). At the time of my visit it was being partly used for grazing donkeys and there was a shelter for them in the north-eastern corner.
4. I did not see any sign on the land of the former dwelling in the south-eastern corner of the land. The appellant said that it had been demolished in the 1960s. I therefore agree with the Council that this is not a proposal for a replacement dwelling, but is rather one for a new dwelling on a greenfield site. The proposal is not for an agricultural or forestry or other worker's dwelling.
5. The Council accepted that it does not have a 5-year housing land supply as required by the National Planning Policy Framework at paragraph 47. Therefore, paragraph 49 of the Framework applies in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered to be up-to-date. I consider that the present settlement limit around Pinchbeck set out in policy HS6 of the

South Holland Local Plan is a policy for the supply of housing and that it is therefore of little weight.

6. On the basis of what I saw, the appeal site looks to lie within a rural locality, outside of the main built-up area of the village of Pinchbeck which lies a little distance to the east. It would be clearly seen from Old Fen Lane. It would consolidate and expand the existing sporadic residential development in this part of the countryside outwards from Pinchbeck along North Gate and by its junction with Old Fen Lane.
7. Although the site lies on a bus route, the Council said that there were only two buses a day, and it is some distance from those services and facilities that are provided in local centres other than Pinchbeck. I saw that there is not a complete footpath from the site into Pinchbeck. Therefore, most journeys to necessary services and facilities would have to be undertaken by private car.
8. The proposal would perform poorly against the environmental dimension to sustainable development in the Framework, particularly the substantial harm that would be caused to the character and appearance of this predominately rural area. I conclude that the proposal would seriously harm the character and appearance of the surrounding area and that it would not be sustainable development. It would be contrary to policy SG2 in the Local Plan which says that all proposals for development must be located having regard to sustainable development principles.
9. Although the Framework's presumption in favour applies here, the important qualifier is that it only applies to sustainable development, which this proposal is not. Moreover, the weight that I give to the presumption is reduced because one dwelling would not make a significant contribution towards the housing land supply shortfall in the District. Thus, the Framework's presumption would not outweigh my unfavourable conclusion on this proposal.
10. I have taken account of the appellant's personal circumstances and desire for a more affordable and energy efficient property, but these also do not outweigh my unfavourable conclusion.
11. For the reasons given above I conclude that the appeal should be dismissed.

David Vickery

Inspector