



Appeal Decision

Site visit made on 8 May 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 4 June 2019

Appeal Ref: APP/A2525/W/19/3220914

off Fishergate, Sutton St James, Spalding PE12 0EZ

- 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 J Cross against the decision of South Holland District Council.
 - The application Ref H20-0839-18, dated 17 August 2018, was refused by notice dated 3 December 2018.
 - The development proposed is residential development.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that the South East Lincolnshire Local Plan 2011-2036 Adopted March 2019 (LP) has been adopted since the Council's decision notice was issued. I have therefore made my determination having regard to the LP rather than the former development plan policies cited in the Council's reasons for refusal of planning permission. Both main parties have had the opportunity to comment on the implications for the appeal and I am satisfied that no interested party has been prejudiced by my approach.
3. The application was submitted in outline with all matters reserved and I have therefore considered the proposal on this basis.

Main Issue

4. The main issue is whether the proposed development would provide a suitable location for housing having regard to the character and appearance of the area.

Reasons

5. The appeal site is located outside of Sutton St James settlement boundary as defined in the LP. I acknowledge that the site abuts Sutton St James which is defined as a Minor Service Centre in LP Policy 1. While development within these settlements would normally be limited to Allocated, Committed sites and infill, the appeal site lies outside of the settlement development boundaries and therefore for the purposes of the LP, the site is located within the Countryside, and LP Policy 1 states that development 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 the area in terms of economic, community or environmental benefits. The proposal is for new market housing, and given the

evidence before me, there is no sufficient justification for housing of this type in this location. Consequently, the proposal would conflict with LP Policy 1.

6. The appeal site is a grassed field and is bounded by open countryside on three sides. The proposal for residential development would be likely to not only involve the erection of houses but would also be likely to include significant areas of new road, paved driveways and domestic gardens that would substantially alter the landscape character of the site and extend the built-up area into the countryside. I acknowledge that the proposal would include affordable housing, and that landscaping schemes may have been acceptable in relation to other sites in the settlement. However, while all matters including the number of dwellings and landscaping are reserved for future consideration, the proposal would nevertheless lead to a significant encroachment of the countryside to the detriment of the character and appearance of the area.
7. I acknowledge that planning permission was granted for dwellings to be located on the land in front of the site fronting the road. From the evidence before me, these dwellings would be in keeping with the ribbon development along Fishergate, in contrast to the proposed development which would be located to the rear of these dwellings. Furthermore, that proposal appears to have been granted consent under a different development plan and does not provide a direct comparison to the appeal scheme.
8. Given the evidence regarding the local bus service, and the services and facilities in Sutton St James, the location of the proposed development may be considered suitable in terms of access to services and facilities. Furthermore, given the proximity to existing buildings and other small settlements, the site is not isolated in the terms of the Framework and the proposed development would not conflict with paragraphs 78 and 79 of the National Planning Policy Framework (Framework). However, given the adverse effects of the proposal on the character and appearance of the area, this has not altered my overall decision.
9. Consequently, the proposed development would not provide a suitable location for housing having regard to the character and appearance of the area. Therefore, it would conflict with LP Policy 1 which seeks to direct development within settlement boundaries and with LP Policy 2 which requires developments that respect the character and appearance of the area among other things. The proposal would also conflict with paragraph 127 of the Framework in this regard.

Other Matters

10. I note that the site would be served by a public footpath to the village centre and is within the 30mph speed limit zone and local concerns including those relating to highways matters. However, whilst I note the Council did not object to the proposal on these grounds, as I am dismissing the appeal for other reasons I have not considered these matters any further. None of the other matters raised outweigh or alter my conclusions on the main issues.

Conclusion

11. For the reasons given above the appeal is dismissed.

R Sabu INSPECTOR