SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H23/0293/93 Received:25-MAR-93 Type:OUTLINE

Name: Mr K Usher
Red Roofs
Dowsdale Bank
Crowland
Peterborough PE6 ONF

Agent: Messrs R Longstaff & Co
5 New Road
Spalding
Lincs
PE11 1BS

Description: Erection of three dwellings

Location : Land adj. Red Roofs Dowsdale Bank
Crowland Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 The site is outside an established Interim Boundary of Development in an area where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. Moreover, the development is not in the opinion of the Local Planning Authority reasonable infilling and as such would be contrary to Policies 6A and 7A of the approved Lincolnshire Structure Plan. These policies are in accordance with National Planning Policies as set out in Planning Policy Guidance Note No 7, 1992 (The Countryside and the Rural Economy) and are aimed at, inter alia, the preservation of the character of the countryside and the economic provision of services. Further, in the opinion of the Local Planning Authority, the granting of permission for the development as proposed would be harmful to the purposes of these policies, because as well as its effect on these issues it would encourage further similar proposals which would then be difficult to resist.

2 The proposed development is located on the nothern side of Dowsdale Bank, where the carriageway is only some 3 metres wide close to a bend. To allow this proposal would intensify the vehicular traffic on this road where two vehicles cannot pass in safety. Such vehicles when meeting would then have to make long reversing manoeuvres, close to the bend, to the detriment of highway safety. Also, should the proposal be allowed, it would lead to similar applications along this narrow lane, intensifying the traffic movements still further.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

SOUTH HOLLAND DISTRICT COUNCIL

Director of Planning and Building Control Services
17-MAY-93 H23/0293/93

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Mr Mike Hardy
Premier House
15 Wheeler Gate
NOTTINGHAM
HG1 2HH

S.H.D.C. PLANNING DEPT.
RECEIVED
17 FEB 1994

Your Ref: 3953

Our Ref:
T/APP/A2525/A/93/230769/P8

Date: 16 FEB 1994

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR K USHER
APPLICATION NUMBER:- H23/0293/93

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the South Holland District Council to refuse outline planning permission for the erection of 3 dwellings on land adjoining Red Roofs, Dowsdale Bank, Nr Crowland. I have considered the written representations made by you and by the Council including those made directly to the Council and forwarded to me. I inspected the site on 19 January 1994.

2. The appeal site lies within a group of 9 dwellings and a Methodist Church located at the end of a long cul-de-sac road about 3 km to the south of the small village of Shepeau Stow and 5 km east of the Fenland town of Crowland. The houses lie within an area of low lying flat open countryside and immediately behind a flood prevention measure known as Dowsdale Bank. The road runs on top of the bank adjoining the houses which are set below road level, and on the opposite side is Dowsdale Plantation which adjoins the Portland Drain. Your client's house Red Roofs is at the north-western end of the line of dwellings adjoining a sharp bend in the road. The appeal site is the side garden to the east of the house and is adjoined on the east side by the Methodist Church.

3. From my inspection of the site and its surroundings and my consideration of the representations made, I consider the main issues in this case to be firstly, in the light of the prevailing planning policies for the area, the effect the proposed development would have upon the rural character of the area and secondly, whether the development would endanger road safety.

4. The Lincolnshire Structure Plan 1991 is the approved and adopted Development Plan for the area. The Plan provides that permission will not normally be granted for new housing which

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would create or extend ribbon or scattered development, in order to conserve the character of the countryside. The Plan also states that new residential development in the open countryside will normally only be permitted where there is an essential need to house farm or forestry workers near their place of work. The South Holland District Local Plan is at public consultation stage and cannot carry the weight of a formally adopted Plan, but its provisions are nevertheless relevant to the appeal. The Draft Plan provides that new residential development will be concentrated in the towns but that small scale housing development will be permitted within defined development boundaries of villages listed in the Plan. Outside settlement boundaries new housing development will normally be restricted to that required for agriculture or forestry workers.

5. Dowsdale is a small and isolated group of dwellings within an area of open countryside. There are no shops or other facilities in the locality, apart from the Methodist Church, and it is not included within the list of settlements set out in the Draft Local Plan where small scale housing development will be permitted. You maintain that the appeal site lies within the existing settlement of Dowsdale as defined on the "Village Envelope" recommended by the Council. It is clear however that the "Village Envelope" was a consultation document which was never adopted by the Council and it can have no relevance to this appeal. The proposed dwellings are not required in connection with agriculture or forestry and are therefore contrary to the provisions of the Structure Plan and Draft Local Plan.

6. You maintain that the proposed development would constitute infilling and draw attention to the advice in Planning Policy Guidance Note No.7 which indicates that infilling within such groups of houses in the countryside may be acceptable depending on the character of the surroundings. The Draft Local Plan also allows for infilling to take place in certain circumstances but confines it to the building of a single dwelling in an otherwise built-up frontage. I consider the erection of 3 dwellings on this relatively small site would present a very urban appearance amongst this small and scattered group of dwellings and would seriously detract from the essentially rural character of the area.

7. It is noted that there have been 3 relatively new dwellings build at Dowsdale and that until 1960 you say there were 3 cottages on the appeal site. The hamlet of Dowsdale has obviously declined over the past 40 years and I do not find those arguments to be good reasons for permitting this proposed development. I therefore conclude on the first issue that the proposed development would be contrary to the established and emerging planning policies and would seriously harm the open rural character of the area and should therefore be resisted.

8. Turning to the second issue. The road along Dowsdale Bank is a relatively narrow country lane and the carriageway further narrows to approximately 3m beyond the junction with Daniels Drove. The carriageway along this section is too narrow to permit two vehicles to pass apart from a small wider section on the blind corner just west of the appeal site. Vehicles meeting on this narrower section of road require to reverse to towards the only wider section of carriageway, and such manoeuvres close to the blind corner are potentially dangerous. Although the road is a cul-de-sac and relatively quiet, the proposed development would generate additional vehicular traffic and thereby increase those potential highway dangers. There is also restricted visibility to the west from the proposed access. However, I do not consider that the use of the access would adversely affect road safety to any serious extent bearing in mind that vehicles would be travelling slowly due to the sharp bend in the road. I therefore conclude on the second issue that the proposed development would be likely to adversely affect road safety but not to a serious extent warranting refusal on those grounds alone, but they add to the other objections outlined above.

9. In summary, I consider the proposed development should be resisted for the reasons outlined above. In coming to this conclusion I have taken account of all other matters raised in the representations, including the views of the Parish Council and local residents, but they do not alter the balance of my views on the main planning issues.

10. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully,

D. L. Learoyd

D L LEAROYD MRTPI
Inspector

. GRID PLANS Scale 1:2500

