
Appeal Decision

Hearing held on 13 September 2016

Site visit made on 13 September 2016

by Michael Boniface MSc MRTPI

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

Decision date: 27 September 2016

Appeal Ref: APP/N2535/W/16/3149736

Land north and west of Barlings Lane, Langworth, Lincolnshire, LN3 5DF

- 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 Mr Stephen Spouge against the decision of West Lindsey District Council.
 - The application Ref 133433, dated 21 August 2015, was refused by notice dated 22 January 2016.
 - The development proposed is the erection of 125 dwellings, day nursery (Class D1), a shop (Class A1) and associated access roads and open space.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development was amended during the course of the planning application to reduce the number of dwellings proposed and incorporate a day nursery and shop. I have considered the appeal on the basis of this amended scheme and have used the amended description of development contained in the Council's decision in the heading above.
3. Prior to the Hearing, the appellant submitted additional information to the Council in the form of an Archaeological Evaluation Report. In light of this, the Council was satisfied that the development would not be likely to harm archaeological remains and confirmed that its second reason for refusal had been overcome.
4. The Council confirm that the West Lindsey Local Plan First Review (June 2006) (LP) does not make adequate provision for the level of housing necessary in the area and that departures from its policies will be necessary to ensure that sufficient housing is delivered. It is common ground between the parties that, in this context, relevant policies for the supply of housing are out of date and the presumption in favour of sustainable development contained within the National Planning Policy Framework (the Framework) applies. For decision taking this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or specific policies indicate that development should be restricted. I have considered the appeal on this basis.

Main Issues

5. The main issues are the effect on the character and appearance of the existing settlement and the surrounding countryside; and whether the development would be suitably located with regards to access to services and facilities.

Reasons

Character and appearance

6. Langworth is a small village that has developed along the main road, now the A158. Barlings Lane and Scothern Lane intersect this road forming a crossroad, again with development either side. Buildings tend to front the highway and I saw very little development at depth. The village presents a distinctly linear settlement pattern surrounded by open countryside. The gaps between buildings offer views of gardens and undeveloped countryside beyond reinforcing the rural character and appearance of the village.
7. This linear and rural form of development is particularly evident on Barlings Lane which is a narrow country road without footpaths for much of its length. Although I noted that buildings were more densely developed towards the A158 the uniformity in building form, style and spacing clearly reduces towards the opposite end of the road, where the site is located, with greater amounts of space between buildings, wide grass verges, hedgerows and arable fields amongst the established built form. All of these features add to the character of the lane and its pleasant rural appearance.
8. The proposed development does not seek to replicate the linear form of development otherwise seen in the village. Instead, a new road running perpendicular to Barlings Lane would extend into the countryside with a number of residential streets protruding from it. The development would wrap around existing buildings fronting Barlings Lane and extend back as far as an established field boundary. The proposed access would extend further still across the countryside through arable fields to provide a direct access onto the A158.
9. The Integrated Planning Statement (August 2015) accompanying the application suggests that this is a deliberate attempt to improve the character of the area which is said to lack any focal point or village centre. It is further suggested that the existing linear development pattern in the village is not a positive attribute but I have been presented with little evidence to justify this view, which is clearly not shared by a number of the local residents objecting to the scheme.
10. It seems to me that the development would represent a stark contrast to the linear development pattern in the village that has evolved over time, involving encroachment into the countryside at significant depth. The appellant accepts that the proposal would not reflect the existing character of the village. I do not agree that the proposal would improve the character of the area, notwithstanding the proposed design rationale to create a 'rural feel' with large amounts of open space and informal layout. Rather, the development would appear as a modern residential estate crudely bolted onto the edge of the village with little regard for its context. Nor do I agree that the development would provide a focal point or village centre given the location of the site on

the periphery of the settlement, somewhat removed from the established facilities in the village which are focused along the A158.

11. The site does not fall within any recognised protected landscape designation and the Council does not suggest that it presents any particular attribute to warrant protection over and above its intrinsic landscape value. I noted that the topography in the area is relatively flat and that the established hedgerow boundaries and blocks of woodland in the area provide a good level of visual containment. No particular long range views from where the development would be visible were brought to my attention and I consider that the visual impacts would be relatively localised. Nevertheless, it would be prominent in views from Barlings Lane and from the public footpath crossing the site. The proposed access to Station Road would also introduce an urban feature with little visual relationship to the existing village or the proposed development, meandering intrusively across arable undeveloped land.
12. The Framework recognises the intrinsic character and beauty of the countryside and is clear that development should respond to local character and distinctiveness. The development would be in conflict with these objectives, involving a significant and urbanising encroachment into the countryside that would detract from the character and appearance of the settlement and the surrounding landscape. Although I attach only limited weight to the extant LP policies in so far as they restrict the delivery of housing, the development would be in conflict with Policies STRAT1 and NBE20 of the LP which seeks to protect character and appearance, avoid visual encroachment into the countryside and protect the rural character of settlement edges and the countryside beyond.

Access to services and facilities

13. Langworth is currently served by its Memorial Hall with a visiting Post Office, a public house and a limited number of employment uses along the A158. Clearly, this level of services and facilities would not be capable of meeting the day to day needs of future occupants of the development and these would need to be met by surrounding settlements.
14. The submitted Transport Assessment (TA) refers to guidance¹ published by the Institution of Highways and Transportation which sets out a preferred maximum walking distance of up to 2km for some services and facilities (though considerably less for others). Very few facilities within this catchment are identified as being available to future residents and the appellant accepts that walking is not likely to be a suitable means of travel for most people. This is particularly so, as even if people were so minded to walk greater distances, there are no established footpaths leading to neighbouring settlements such as Scothern and so this is not likely to represent a desirable option.
15. There would be potential for cycling over larger distances and the TA identifies that a number of neighbouring settlements would be accessible by cycling within 5km of the site, including Sudbrooke, Scothern, Reepham, Fiskerton, Cherry Willingham and Dunholme. Some people may choose to take up this option though this is reliant on ability and willingness and many will choose not to, meaning that this is likely to represent a small proportion of journeys from the proposed development, particularly when considering the need to reach

¹ Guidelines for Providing for Journeys on Foot, IHT, 2000

- medical services, schools and shopping destinations all of which are unlikely to be practically accessible by cycling given the likelihood of illness, young children in buggies and the need to carry goods respectively.
16. I heard that Lincolnshire is a rural county and that travel was often necessary to reach day to day services. In this context, I was told that the bus service available is relatively good and I note that the village is served by a number of bus services providing access to settlements along the A158 including Lincoln, Skegness, Louth, Market Rasen and Horncastle. The TA also sets out details of school bus services operating within the village. Whilst this is so, many facilities are located in the rural villages away from the A158 to which there is no bus service and this significantly restricts their accessibility.
17. It is clear that there are some opportunities for accessing services and facilities by sustainable means but the level of provision within the village itself and in the immediate vicinity mean that uptake of such modes of travel are likely to be low. The appellant accepts that many people will be reliant on use of the private car and whilst some reliance is inevitable in rural areas, the Framework is clear that the planning system should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
18. I have had regard to other appeal decisions² locally where the Inspector has concluded that the development is sustainable despite some reliance on private cars but that is a matter of fact and degree in each individual case. In considering whether this is an appropriate location for new housing, the scale of the proposed development is pertinent. Development with limited access to services and facilities could be considered sustainable in some cases where the development would contribute to other objectives of the Framework and this is a matter that I shall weigh in the planning balance. However, the development is of significant scale and even though journeys may be relatively short to nearby services and facilities, the number and frequency of such journeys from the development would be high and the cumulative impacts environmentally would also be high.
19. Future occupants of the development would have poor access to day to day services and facilities by sustainable means and there is likely to be a significant and harmful reliance on the use of private vehicles. Again, whilst I attach only limited weight to the out of date policies of the extant LP which restrict the delivery of housing, the development is in conflict with Policy STRAT1 which requires consideration of the scope for access to public transport, reducing the length and number of car journeys and the availability of social/community facilities to serve the development.

Planning balance

20. The appellant explains that the development seeks to halt the decline in services and facilities in the village through the introduction of a greater population and direct provision of additional facilities including public open space, a shop and a day nursery. A range of economic benefits that would derive from the development are also set out, including expenditure and employment during construction, local expenditure from an increased population and an increase in Council Tax payments. From a social perspective

² APP/R2520/A/14/2219593, APP/N2535/W/15/3017289 and APP/N2535/A/13/2207053

the development would deliver a large number of both market and affordable houses that would add to the vibrancy of the existing community, a significant benefit in the context of the Framework's objective to boost significantly the supply of housing.

21. However, there are comparatively few environmental benefits that would arise from the development and my conclusions on the main issues above identify significant harm in this respect. The Framework advises that its economic, social and environmental objectives should not be undertaken in isolation because they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.
22. Whilst a number of benefits would arise from the proposed development the harm that I have identified with regards to the character and appearance of the area and the relative reliance on private vehicles significantly and demonstrably outweighs these benefits having regard to the policies of the Framework as a whole. As such, the development does not represent sustainable development, to which the presumption in favour applies.
23. The appellant argued that the Council could not currently demonstrate a deliverable five year housing land supply but even if I were to accept this position, it would not alter the balance that I have undertaken above, albeit that it might increase the desirability of delivering houses.
24. I have had regard to the submitted letters of support that indicate a desire for the village to grow and noting the benefits that the scheme might bring but again this does not alter my conclusions. I also note the disparity between the appellant's local consultation exercise and the formal consultation carried out in respect of the planning application and the appeal, the former indicating a much greater level of support. While I acknowledge this support, I have viewed it in the context of all other submissions made. Clearly there is a great deal of opposition to the proposal and I see nothing unreliable about the formal consultation process carried out in accordance with statutory provisions. I understand that the scheme has been evolved to accommodate the various views raised by local people and in line with lengthy pre-application discussions with the Council but I have considered the scheme before me on its own merits.
25. The appellant submitted a Unilateral Undertaking providing for a range of planning obligations in the event that planning permission was granted. However, given my conclusion, it is not necessary for me to consider this further.
26. In light of the above, and having considered all other matters, the appeal is dismissed.

Michael Boniface

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Phil Scrafton	Managing Director, Globe Consultants
Sam Elkington	Director, Lambert Smith Hampton
John Mather	Lincoln Community Land Trust
Stephen Spouge	Appellant
Jonty Pearson	Solicitor
Richard Havenhand	Designer
Chris Holloway	Transport Planner

FOR THE LOCAL PLANNING AUTHORITY:

Rachel Woollass	Town Planner
Richard Green	Town Planner
Martha Rees	Legal representative

INTERESTED PERSONS:

Mike Herbert	Langworth Parish Council
Chris Darcel	Local Councillor

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Draft Unilateral Undertaking
- 2 Viability Appraisal, September 2016
- 3 Drawing Nos. J1446 (08) 10, (08) 48 Rev C, (08) 49 Rev C and (08) 50 Rev A
- 4 Council's 5 year supply calculations
- 5 Letter dated 4 November 2015 from Globe to Council (Ref. PS/2036)
- 6 Central Lincolnshire Local Plan Initial Questions from the Inspector
- 7 Initial questions from Inspector (26 July 2016) and the Committee's Response to those Questions (15 August 2016)
- 8 Proposed Submission Consultation: Report on Key Issues Raised

DOCUMENTS SUBMITTED AFTER THE HEARING

- 1 Completed Unilateral Undertaking