
Appeal Decision

Site visit made on 15 November 2016

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 24th November 2016

Appeal Ref: APP/D2150/W/16/3156688

Woodlands, Top Road, Little Cawthorpe, LN11 8NB

- 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 P Strawson against the decision of East Lindsey District Council.
 - The application Ref N/102/00727/16, dated 24 March 2016, was refused by notice dated 27 May 2016.
 - The development proposed is detached dwelling with integral garage and associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (a) whether the site is a suitable location for residential development having regard to local and national policy and (b) the effect of the proposed development upon the character and appearance of the area, with specific regard to the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB).

Reasons

Location of Development

3. In relation to housing, as the East Lindsey Local Plan Alteration 1999 (LP) policies are out-of-date, due to a lack of 5-year housing land supply, paragraph 14 of the National Planning Policy Framework (the Framework) applies. This states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole or unless specific policies in the Framework indicate that development should be restricted.
 1. Paragraph 55 of the Framework is clear that for development in rural areas to be sustainable, this should be located where it will enhance or maintain the vitality of rural communities, avoiding isolated homes in the countryside unless there are special circumstances. In addition, one of the core planning principles of the Framework seeks to actively manage patterns of growth to make fullest possible use of public transport, walking and cycling (Paragraph 17). Consequently, new residential development should not be detached from being part of a viable and vibrant rural community, where there would be access to day to day facilities without the need to travel.
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4. Little Cawthorpe is identified as a small village within Saved LP Policy A3. This policy, and its supporting text states that such settlements do not have well developed basic services or facilities to support much housing development, and emphasises that development should be located towns and main villages where there are services and facilities. As such, Policy A3 is broadly consistent with the objectives of paragraphs 55 and 17 of the Framework in terms of achieving sustainable patterns of development and I give weight to this.
5. Little Cawthorpe consists of a small collection of residential dwellings. Services are limited to a Church and a public house, there is no school, shops or other facilities. I therefore consider that the site would be isolated from basic services and facilities required for everyday living which the Framework seeks to avoid.
6. The nearest settlement is Legbourne, at around 2.5km away. This is classified as a main village under saved Policy A3, and has a greater level of service provision. The main town of Louth is around 5km away. While paragraph 55 of the Framework and LP Policy A3 acknowledges that where there are groups of smaller settlements, development in one village may support services in a village nearby, given that these settlements and services would be accessed via narrow, winding country lanes, with no street lighting or footpaths, it is doubtful that potential future occupiers would access such essential services on foot or by bicycle.
7. I note that there is a bus service which serves Little Cawthorpe, however the frequency of this is limited to a twice daily service on school days only. Consequently, this would be unlikely to meet all the needs of occupants and would result in a large proportion of journeys being made by private car to access basic services required for everyday living. Any benefits to wider local facilities in Legbourne would therefore be undermined by the lack of accessibility to them.
8. Furthermore, while I accept that most of the existing residents within the village rely on private car, due to a lack of access to services and facilities, the frequency of such necessary journeys even from the erection of a single dwelling would also further encourage the use of unsustainable forms of transport and would not justify the appeal proposal. There is also no evidence that the special circumstances which are listed in paragraph 55 of the Framework are applicable in this case.
9. Overall I therefore conclude that the proposed residential development would not be in a suitable location and would be in clear conflict with the social and environmental objectives which underpin the Framework in respect of transport (paragraph 17) and accessibility (paragraph 55) and saved Policy A3 of the LP.

Character and Appearance

10. The appeal site is situated in a corner position on a right angled bend to Top Road and located between 'Colaren' a 2-storey semi-detached property and 'Woodlands,' a detached single storey dwelling.
11. The appeal site is an open area of land which is grassed and contains young trees which appear to have been recently planted and is within the Lincolnshire Wolds AONB. While the appellant makes reference that the appeal site is a former farmyard, I saw no evidence of this. Behind the site are open

agricultural fields. As viewed from along Pinfold Lane, the appeal site forms an open and prominent gap between the existing dwellings, and allows views of the agricultural and wooded landscape of the AONB behind the appeal site. For this reason, the site makes a positive contribution to the rural landscape setting of Little Cawthorpe and as part of the wider AONB.

12. The loss of this area to built development would therefore transform the open character of the site and would erode the prominent visual break between dwellings along Top Road and Pinfold Lane. This would have an urbanising impact which would represent encroachment into the open countryside, causing harm to the AONB.
13. This effect would be further compounded by the siting and positioning of the proposed development within the plot. I acknowledge that the proposed dwelling would be located on a similar building line to the rear of 'Woodlands' and 'Colaren' and the rear boundaries would be consistent with these properties and would have soft landscaping treatments. However, due to the position of the appeal plot, the development would be set back from the Road and would be located behind the existing frontages of properties along Top Road, including Woodlands. I therefore consider that the development would also be incongruous in respect of the prevailing linear character of development in the area.
14. This impact would not be overcome by the design of the proposed development which would be sympathetic to the character of the existing dwellings in the area. Nor would the removal of permitted development rights sufficiently ensure that the urbanising impact of the development is minimised in the longer term to any great degree.
15. I therefore conclude that the proposals would fail to preserve or enhance the character and appearance of the area and would cause harm to the landscape character of the AONB. Consequently, the development would not accord with saved LP Policies A5, C11 and H12, which in combination, seek to secure development which does not detract from the distinctive character of the locality, and protects the natural beauty of the AONB. The proposals would also conflict with paragraphs 58 and 60 of the Framework in terms of reflecting the identity of local surroundings and reinforcing local distinctiveness, as well as paragraph 115 which stipulates that great weight should be given to conserving landscape and scenic beauty in AONBs.

Conclusion

16. The Framework seeks to ensure that development is sustainable and that all three dimensions of sustainable development (environmental, economic and social) are achieved jointly. The development would make a contribution to housing supply in an area where there is a shortage. There would also be benefits arising from employment opportunities through construction. However, such benefits would only be modest, and in respect of the latter, time-limited.
17. I have identified that there would be harm to the AONB, and in accordance with footnote 9 appended to paragraph 14 of the Framework, such development should therefore be restricted. Furthermore, the harm I have identified in respect of the location of development would significantly and demonstrably outweigh any benefits.

18. Given the conflict with those policies of the Framework identified above, the proposals cannot therefore be considered sustainable development for which the Framework presumes in favour.
19. For the reasons given above, taking into account all other matters raised, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR