
Appeal Decision

Site visit made on 25 January 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 7 February 2017

Appeal Ref: APP/D2510/W/16/3160461

Rose Cottage, Narrow Lane, Belchford LN9 6LE

- 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 Mrs Penny Moss against the decision of East Lindsey District Council.
 - The application Ref S/013/01385/16, dated 28 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is the outline erection of 1no. dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development as it appears on the appeal form. Whilst this differs from that shown on the planning application form, it most accurately describes the development to which this appeal relates. It is clear that the Council are content with this approach since the same description appears on their decision notice. I have proceeded on this basis.

Main Issues

3. There are two main issues; these are a) the principle of the proposed development with particular regard to its location; and b) the effect of the proposed development on highway safety.

Reasons

The Principle of Development

4. The appeal site has is a rectangular parcel of land enclosed by hedging and post and rail fencing, situated between Rose Cottage and Narrow Lane. It is currently laid to grass. It is within the settlement of Belchford, a medium sized village as defined by saved Policy A3 of the Local Plan¹.
5. The principle of this policy is to direct new housing development, in a hierarchical manner, to those settlements that have a range of services necessary to support the day to day needs of residents that can be accessed via sustainable means. Belchford has a very limited range of services with the closest shops, education facilities and main employment opportunities being

¹ East Lindsey Local Plan Alterations 1999

some considerable distance away. I am not advised of any usable or practical public rights of way network that is locally available and public transport options appear to be limited. It is clear therefore that there are limited options to access services other than by use of the private car.

6. I accept that, as a single dwelling, the proposed development would not generate a significant number of unsustainable journeys but nevertheless it would serve to promote them. Something which both Local Plan and the Framework² seek to resist.
7. I further accept that saved Policy A3 is not development prohibitive in respect of new housing. Nevertheless it does suggest that revitalisation of medium villages is only likely to succeed if specific local needs are addressed rather than increasing the population through speculative development. On the basis of the evidence before me, the proposed development would fall into the latter category.
8. Paragraph 55 of the Framework does suggest that, in order to promote sustainable development in rural areas, new housing may be appropriate in one village where it would support services in another nearby. However, I have limited evidence before me that this would be the case. Specifically there is no indication of to what group of settlements Belchford could reasonably be considered part. Moreover, there is no mention of precisely what services in each settlement would be supported. The appellant does mention that development would assist in sustaining services in Horncastle which may be true. But Horncastle, as a town identified by saved Policy A3, would be an inherently more sustainable location for new growth in any event.
9. It is for these reasons that I can see no compelling justification to depart from the principle I have referred to above. It is clear to me that granting a planning permission in this case would serve to encourage unsustainable patterns of development. The proposed development would therefore be contrary to the principles of the Framework as well as saved Policy A3 of the Local Plan. This Policy and the guidance of the Framework seek to, amongst other things, direct new housing development to the most accessible and sustainable locations.
10. The Council advise that, as part of their emerging Local Plan, Belchford will be re classified as a small village where new development will be further limited. As this plan is still yet to be examined I give it very limited weight. Nonetheless it adds to my concerns over the limited range of services available to residents.

Highway Safety

11. The proposed development before me seeks outline planning permission with all matters reserved for future consideration. Whilst details in the evidence therefore are indicative, it is clear that the new dwelling would be accessed via either the existing driveway or another directly off Narrow Lane.
12. Narrow Lane is as its name would suggest. It is a single width hard surfaced highway with grass verges either side. There are a number of accesses leading off the lane both to private dwellings and agrarian enterprises. There is no footway.

² The National Planning Policy Framework 2012.

13. An increase in the use of the lane would arise out of the proposed development. This would have the potential for meeting vehicles travelling in opposite directions to have to avoid each other. I accept this would involve the use of the verges either side as evidence on site suggests to me happens already. The lack of a footway would also have the potential for pedestrian and vehicular conflict.
14. Notwithstanding this, I have regard to the scale of the proposed development which is for a single dwelling. Consequently, the net number of additional vehicles and therefore movements along the lane would be contextually small. For this reason I do not consider that the proposed development would result in such a significant change to the existing situation that it would compromise the safe use of the highway or, in respect of access to the appeal site itself, lead to complete structural failure of the carriageway edge.
15. I am therefore satisfied that the proposed development would not conflict with saved Policies A4, H12 or TR3 of the Local Plan. These Policies, along with the Framework, seek to ensure that access to and layouts of new developments are safe and functional and do not increase danger from traffic.

Other Matters

16. The Council is unable to demonstrate the housing supply as required by the Framework. Relevant policies for the supply of housing are therefore not considered to be up to date. I accept that saved Policy A3 is relevant to the supply of housing albeit it is not solely an allocation based policy. It is generally permissive of housing in the settlements identified subject to certain criteria. I therefore give it some weight and have duly referred to it above.
17. In coming to a view on whether the adverse effects of granting a planning permission in this case would significantly and demonstrably outweigh the benefits, I also have regard to the appeal decision that the appellant has brought to my attention, Ref APP/D2510/W/15/3137331³.
18. I accept that the proposed development would provide for a dwelling and this would be positive for an undersupply situation as well as the social strand of sustainability. Given its scale however this benefit would be limited.
19. I note that the Inspector in the case of the example cited above also came to this conclusion but in giving some weight to elements of saved Policy A3, considered that the proposed development had the potential to revitalise the village without causing harm to its character or the surrounding countryside. Whilst the same could be argued of the proposed development, the cited example also provided environmental enhancement in the redevelopment of a site of low visual quality. The same cannot be said of the appeal site.
20. From an economic perspective, the above example granted planning permission for two dwellings, demolishing one. In net terms therefore, the same as the proposal before me. However, this would have the potential to sustain employment on a demolition and redevelopment project for twice the number of buildings. The project would be more complex and thus sustain more jobs for longer than a single open and undeveloped plot with no clear development constraints. The two are not therefore, in the case of their economic benefits, sufficiently similar.

³ Beckside, Narrow Lane, Belchford, Lincolnshire LN9 6LE

21. The two developments, from the evidence before me, would both be speculative albeit the proposed development would be as well as, and not instead of that which has already been granted planning permission. Saved Policy A3 explicitly seeks to resist increasing the population of medium villages by speculative development.
22. Given the dwelling to be demolished in the case of the above example was unoccupied this, together with the proposed development, would increase the population of the village through speculative development, by a total of three dwellings. Given the size of the settlement and its limited range of services, this would in my view be significant.

Conclusion

23. Taking all of these factors into account, it seems clear to me that the adverse effects of granting a planning permission for the proposed development would significantly and demonstrably outweigh the benefits. Whilst I have not found harm to highway safety, this would not be sufficient to change my conclusion that the proposed development would be inherently unsustainable.
24. For these reasons, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR