
Appeal Decision

Site visit made on 21 March 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 6th April 2017

Appeal Ref: APP/A2525/W/17/3166430

Land adjacent to 74 High Road, Whaplode, Spalding, PE12 6UA

- 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 Welch against the decision of South Holland District Council.
 - The application Ref H23-1013-16, dated 4 October 2016, was refused by notice dated 12 December 2016.
 - The development proposed is "residential development".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters reserved except for access. A layout was submitted but only for indicative purposes. I have dealt with the appeal on this basis.

Main Issues

3. The main issues are (i) whether the proposal would represent sustainable development in respect of its location; and (ii) the effect of the proposed development upon the character and appearance of the countryside.

Reasons

Policy Background

4. Paragraph 49 of the Framework requires housing applications to be considered in the context of the presumption in favour of sustainable development. This is set out at Paragraph 14 of the Framework and indicates that where relevant housing supply policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against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. Paragraph 7 of the Framework establishes the three dimensions to sustainable development; economic, social and environmental.
 5. South Holland Local Plan, 2006 (LP) Policy SG2 indicates, amongst other matters, that development should adopt a sequential approach which gives priority to the use of previously developed land within defined settlements; then to greenfield land within defined settlements; and finally to land adjacent to defined settlements. LP Policy SG4 indicates that planning permission will only be granted for development in the open countryside, which is essential in the proposed location and cannot reasonably be accommodated within defined
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settlement limits. LP Policy HS7 limits housing outside of settlement boundaries to (a) essential workers' dwellings and (b) rural exception affordable housing. The proposal falls into neither of these categories.

6. As these policies effectively restrict housing development, I consider them to be relevant policies for the supply of housing. The Council has confirmed that it can only demonstrate a 3.25 year housing land supply (HLS). Therefore, LP Policies HS7, SG2 and SG4 are out of date. That said, whilst I cannot give these policies the full weight of the development plan, this does not mean that they are irrelevant or should be disregarded.

Locational Sustainability

7. The appellant argues that the site is located, via public footpaths, a 12 minute walk from the local service centre of Whaplode. The Council has confirmed that the site it is 300m from the Whaplode Development Boundary - I consider this to be an easy walking and cycling distance. Both parties also confirm that the site is on a bus route; the appellant explaining that the routes are between Spalding and Kings Lynn.
8. Given the above, and in the absence of more detailed evidence from the Council that the site is remote from day to day services, I consider that future occupiers of the proposed development would have a choice of transport modes, including public transport, walking and cycling, and they would not necessarily be reliant on car journeys.
9. I therefore conclude that the site is locationally sustainable. In this respect, I find no conflict with LP Policy SG2 which seeks to ensure that development is served by a choice of transport modes, including public transport.

Character and Appearance

10. The site is a field situated between two small groups of buildings. Development in the vicinity of the site is sporadic in nature. There are fields opposite and to the rear of the site with more fields to the other sides of the small groups of buildings between which the site sits. Furthermore, the indicative plans show that 6 dwellings can fit on the site and therefore, the site itself is a fairly sizeable gap. Due to the expanse of fields on and around the site, and the sporadic nature of nearby development, I consider that the site is situated within, and is part of, the open countryside.
11. The development of the site would result in a loss of open landscape. It would join the two separate small groups of development to make one longer ribbon of development. This would detract from the rural character of the area and would make this section of High Road appear more suburban.
12. I therefore conclude that the proposed development would harm the character and appearance of the countryside. Consequently, there would be conflict with LP Policies HS7, SG1 and SG4 which, in combination, seek to protect South Holland's essential character and to limit development within the countryside. It would also be contrary to Paragraph 17 of the National Planning Policy Framework which indicates that planning should recognise the intrinsic character and beauty of the countryside. Given that the site is not isolated from other dwellings and it has reasonable access to Whaplode, I find no direct conflict with paragraph 55 of the Framework.

Planning Balance

13. I note the appellant's comments that the site has been identified, as part of the emerging Local Plan, as having "good achievability" and I have no reason to doubt this. The development would be socially sustainable as it would make a small contribution to the supply of dwellings in the locality. There would be a small economic benefit in that the dwellings would create some short-term economic activity in connection with their construction; and the occupiers would contribute to supporting local services. However, in spite of the considerable shortfall in HLS, these benefits do not outweigh the significant harm to the character and appearance of the countryside that would arise as a result of the development. Therefore, the development would not be environmentally sustainable and would not meet the three dimensions of sustainable development as set out in the Framework.

Conclusion

14. I have taken into account all other matters raised, including the comments from the Parish Council, but none outweigh the conclusions I have reached and the appeal is dismissed.

Siobhan Watson

INSPECTOR