



Appeal Decision

Hearing Held on 12 July 2017

Site visit made on 12 July 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 1 August 2017

Appeal Ref: APP/D2510/W/17/3170818 Field Farm, Main Road, Belchford LN9 6LF

- 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 AW Smith & Sons Ltd against the decision of East Lindsey District Council.
 - The application Ref S/013/00013/17, dated 3 January 2017, was refused by a notice dated 20 February 2017.
 - The development proposed is described as an outline proposal to construct three dwellings on Field Farm paddock with all details reserved and with one dwelling to have an agricultural occupation tie attached.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all other matters reserved for future consideration. The Site Plan showing an indicative size/layout is for illustrative purposes only. I have determined the appeal on this basis.
3. The Council's Emerging Local Plan which will guide growth and development in East Lindsey up to 2031 has been submitted for examination and the Stage 1 Hearing Sessions have commenced. However, given the very early stage of its examination, there is no dispute between the parties that its proposed policies can only be afforded very limited weight.

Main Issues

4. The main issues in this case are:
 - Whether the proposed development would be acceptable in principle in this location in the light of relevant local and national planning policies; and
 - The effect of the proposed development on the character of Belchford, and the natural beauty of the Lincolnshire Wolds Area of Outstanding Natural Beauty.

Reasons

Whether the proposed development would be acceptable in principle in this location in the light of relevant local and national planning policies.

5. The development plan is East Lindsey Local Plan, Alteration 1999 (Local Plan), and Saved Policy A3 of the Local Plan provides a Local Areas and Settlement Hierarchy for the District. The settlement of Belchford is identified as a medium sized village where development will be permitted (subject to other policies in the Plan and any other material considerations), provided its location, character, function, scale, design and operation are all consistent with the role, status and character of the settlement. The supporting text to Policy A3 advises that some medium sized villages have seen a decline in local services and job opportunities over the years and an increase in demand for commuter and retirement homes. It recognises that to help to prevent further loss of residents or services there is a need to cater for identified local needs rather than for speculative development.
6. Paragraph 55 of the National Planning Policy Framework (the Framework) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Paragraph 55 also states that new isolated homes in the countryside should be avoided unless there are special circumstances.
7. The appeal site is situated within the defined settlement boundary of Belchford, and there is no dispute between the parties that the proposed development would not be for isolated homes in the countryside. Differences arise over whether the proposal would cater for an identified local need that would enhance or maintain the vitality of the village or support services in a village nearby.
8. I heard at the Hearing that Belchford has a vibrant Public House and an active community. There is a village hall which is used approximately five times a week for local groups and activities, including Brownies, a mums and tots group, keep fit and art classes. The village also has a church and village green/recreation field. However, it has limited other facilities and access to public transport is poor. The nearest 'main village' is Tetford, some four miles away, where there is a pre-school and primary school, doctor's surgery and a pop-up shop. However, there is no dispute between the parties that residents of Belchford travel to the town of Horncastle, approximately six miles away, to access the majority of the facilities and services required to meet their day to day needs. There is a school bus service to the village and cycling is an option, however, with a limited bus service only operating outside of peak hours and on an on-demand basis, the majority of journeys required to access employment and other facilities are heavily reliant on the use of a private car.
9. The proposed development would provide two houses which would be for sale on the open market and a further dwelling that would be available to rent to a person employed in agriculture at Glebe Farm, which is located approximately a mile to the east of Belchford. Glebe Farm is a mixed arable and livestock farm which comprises approximately 3000 acres of owned, rented and contracted farmland. The appellant acknowledges that there is not an essential need for a further agricultural worker to live at Glebe Farm, where a stockman resides in the farm cottage and the farmhouse is occupied by the appellant. Other employees live between four and 13 miles away. However, the appellant

contends that it is very good sense in husbandry to have another worker close by, to help with a difficult livestock birth or weather sensitive operations, which require an immediate response. Furthermore, machinery operators who work long hours at peak times, should not have to travel more than ten miles home at the end of the day. The appellant further advises of past difficulties in finding properties to rent for seasonal machinery operatives and their existing farm apprentice is also likely to require accommodation to rent close by in the near future. Furthermore, having accommodation available for farm workers to occupy at a subsidised rent would not only be beneficial to the farm business, but would also provide an opportunity for the worker to become part of a vibrant community.

10. In addition to the proposed farm workers property, the development proposed is for a further two dwellings. It is suggested that these would be small starter type homes, to be developed in recognition of the absence of small houses within Belchford, which is more generally characterised by larger properties. The proposed market properties would also subsidise the farm workers dwelling. It is the Appellant's case that the appeal proposals would therefore meet a local need which would not conflict with Policy A3 of the Local Plan.
11. The Council acknowledged at the Hearing that the provision of a home to rent to an agricultural worker would be a form of development that could be considered to be acceptable within the village. However, the Council also confirmed that there was no identified local affordable housing need within Belchford. I have taken into account the Parish Council's support for smaller properties within the village to suit first time buyers. However, the appeal proposal is not supported by any substantive evidence that would suggest that there is local need for such housing, and moreover, there is no mechanism proposed to ensure that the dwellings proposed would be suitable or affordable for first time buyers. I am not therefore persuaded that the proposed market dwellings would meet a genuine local need and no financial evidence has been provided to demonstrate why these properties would be required to secure the delivery of the proposed dwelling with an agricultural tie.
12. Belchford is a medium sized village which the appellant acknowledges has an active local community with a vibrant Public House. There is no evidence to suggest that the village has been losing residents, and indeed there have recently been a number of new houses built within the village. Whilst future occupiers may well integrate into the community and add value to it, I am also mindful that the Framework (paragraph 17) seeks to ensure that new development is focused in locations where there are opportunities to make the fullest use of public transport, walking and cycling. It is clear that Belchford is not sustainably located, and that future occupiers of the proposed development would be heavily reliant on the private car to access even the most basic everyday services and facilities. Furthermore, I have not been provided with any evidence that would suggest that the proposed development would help to support any essential services or facilities in neighbouring villages. Although occupiers of the proposed farm workers dwelling would be living close to their place of work, they would still be required to make journeys to access schools, shops and other essential services and facilities, and the support that the future occupiers of the proposed dwellings would provide to the existing village life would be limited.

13. I therefore conclude that the proposed development would not be acceptable in principle in this location in the light of relevant local and national planning policies. It would conflict with the development plan, and in particular with Policy A3 of the Local Plan and paragraphs 17 and 55 of the Framework the aims of which are set out above.

The effect of the proposed development on the character of Belchford, and the natural beauty of the Lincolnshire Wolds Area of Outstanding Natural Beauty.

14. The village of Belchford lies wholly within the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB). Furthermore, it falls within the Hainton to Toyton All Saints Wolds Farmland (G3) as classified in the East Lindsey Landscape Character Assessment, July 2009 (LCA) and which describes the settlement pattern for this area as generally sparse with small nucleated villages settled into the small valleys or on the side of the wider valleys. The LCA further advises that the overall landscape character sensitivity for this area is moderate to high, and that any development should be carefully designed to fit in with the pattern, scale and rural character of existing landscape elements, including the small scale and dispersed pattern of villages.
15. Belchford has a distinct settlement pattern which has developed in a generally linear form around two road loops which form a figure of eight. Development is more concentrated around the most western road loop where the church, the Blue Bell Inn and village hall are all located. Development around the eastern loop is looser knit and has a greater visual connection with the surrounding countryside. Existing residential properties on Narrow Lane and Fulletby Lane are generally located on one side of the road only, and the neighbouring farmsteads reinforce the rural character of this part of the village. There is no consistent design or vernacular architecture prevalent within the village; however it is generally characterised by detached and semi-detached dwellings situated in relatively large plots. Where new built development has taken place, it has respected the village's linear settlement pattern and density.
16. The appeal site is located at the eastern edge of the village and when approaching the village from the east it is well screened from views by a mature tree belt. However, its position on a bend in the road means that the site dominates views when travelling through the village in an easterly direction along Main Road. Furthermore, whilst the site itself is not visually connected with the open countryside due to presence of the tree belt, its open grassland and the native trees which form a backdrop to it make an important contribution to maintaining the intrinsic rural quality and dispersed settlement pattern of this part of Belchford.
17. The site has a limited road frontage to Main Road and access to it would need to be taken from the existing track which serves Field Farm. Although the means of access, scale, appearance and layout of the development are reserved matters, it is clear from the size of the appeal site, and its relationship to Main Road, that three houses on the site would result in a density, form and layout that would contrast sharply with the loose knit and generally linear form of development which characterises the eastern half of Belchford. The proposal would appear as a consolidated form of development on a site whose existing undeveloped nature reinforces to the rural character of Belchford.

18. In AONB's there is a statutory duty to conserve and enhance the natural beauty of the area.¹ Paragraph 115 of the Framework also states that great weight should be given to conserving landscape and scenic beauty in an AONB, which have the highest status of protection in relation to landscape and scenic beauty. As set out above the village of Belchford lies wholly within the Lincolnshire Wolds AONB, and its existing settlement pattern and deeply rural character make a valuable contribute to the overall landscape and scenic beauty of the AONB. For the reasons set out above, I am not persuaded that the development of the site for three houses would respond to the existing settlement pattern, and in contrast would introduce a more suburban form of development onto a prominent site within the heart of the village.
19. I conclude that the appeal proposal would have a harmful effect on the character of Belchford, and would not conserve or enhance the natural beauty of the Lincolnshire Wolds Area of Outstanding Natural Beauty. It would therefore conflict with the development plan, and in particular with Policies A5 and C11 of the Local Plan which seek to ensure that new development, amongst other criteria, does not detract from the distinctive character of the locality and does not harm the locally distinctive characteristics of the landscape, settlement or buildings within the Lincolnshire Wolds AONB. I also find conflict with paragraph 115 of the Framework, the aims of which are set out above.

Other Matters

20. I have taken into consideration other appeal decisions, and decisions taken by the local planning authority, where planning permission has been granted for new housing development in Belchford.² However, those developments relate to sites where there were already extant consents, on previously developed land and where the proposals were not considered to have a harmful effect on the character or appearance of the area. They are not therefore directly comparable to this appeal proposal, and I therefore afford them only limited weight. In any event, I have determined this appeal on its own merits.
21. Dial Cottage is a Grade II listed building. Its significance is derived from its early C18 origin, timber frame and intact staggered purlin roof. It has a distinct curtilage and is visually separated from the appeal site by Main Road. The Council does not consider the appeal proposal would have a harmful impact on the setting of Dial Cottage, and I see no reason to disagree. The proposal would therefore accord with the provisions of the Planning (listed Buildings & Conservation Areas) Act 1990 and preserve the setting of Dial Cottage.

Conclusion

22. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR

¹ Section 85 of the Countryside and Rights of Way Act 2000.

² Appendices, Appellant's Full Statement of Case.

