
Appeal Decision

Site visit made on 10 August 2017

by D Guiver LLB(Hons) Solicitor

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

Decision date: 21 August 2017

Appeal Ref: APP/R2520/W/17/3176235

Land adjacent to Belmont View, Plough Hill, Potterhanworth Booths, Lincoln LN4 2AU

- 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 and Mrs K Gray against the decision of North Kesteven District Council.
 - The application Ref 16/1499/FUL, dated 17 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is the erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the Council's description of the land and the proposed development as these are more precise.
3. Since the date of the decision the Central Lincolnshire Local Plan 2017 (the Local Plan) has been adopted and therefore this appeal is determined in accordance with that Plan. However, Policies LP2 and LP55 of the Local Plan, on which the Council now relies, do not differ from Policies C2 and DC4 of the former North Kesteven Local Plan 2007 referred to in the decision notice in any material way that would affect my determination of this appeal.

Main Issue

4. The main issue is whether the proposal represents a sustainable form of development with particular regard to the location of the appeal site on the edge of the settlement curtilage of Potterhanworth Booths.

Reasons

5. The Local Plan is a cross-boundary strategic development plan for a number of local planning authorities in Lincolnshire. Policy LP2 of the Local Plan provides a spatial strategy for these authorities that seeks to ensure housing growth is concentrated in the main urban settlements and provides for a settlement hierarchy of eight tiers to prioritise development. Lincoln is the sole tier one conurbation, and Sleaford and Gainsborough are the tier two settlements. Tiers three to six cover market towns and large, medium and small villages respectively.

6. Potterhanworth Booths is a small, rural hamlet of fewer than 20 dwellings and falls within tier seven for the purposes of Policy LP2 of the Local Plan. Tier seven settlements are defined as hamlets where dwellings are clearly clustered together to form a single developed footprint. Development in tier seven settlements should be restricted to infill plots within the developed footprint and limited to single dwellings.
7. The Policy defines the developed footprint as the continuous built form of the settlement and excludes, amongst other things, gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement.
8. The appellants state that the site is an integral part of the hamlet's footprint and not part of the wider agricultural landscape. In support of this they refer to the enclosure of the site by mature woodland to the north and hedging to the western boundary. I accept that the site is within the footprint of the hamlet and that there is some delineation between the site and the agricultural land to the north and west. However, Policy LP2 refers to the developed footprint and to the countryside rather than agricultural land.
9. The appeal site is located at the western edge of the hamlet and comprises an open plot of land adjacent to the cottage at Belmont View to the east and open countryside to the west. The appellants state that the site was previously used as detached gardens for other cottages in the hamlet and therefore the site has not been part of the settlement's developed footprint.
10. I consider that the woodland and hedgerows are clear constituents of the countryside and the enclosure of the plot by these components establishes rather than undermines the relationship with the surrounding area. Therefore, I conclude that the proposal would not amount to infill development but would rather be an extension of the hamlet's developed footprint into the countryside. Therefore I conclude that the proposal would constitute an unsustainable form of development and would not be in accordance with Policy LP2 of the Local Plan, or Policy LP55 which seeks to protect the countryside by ensuring that new dwellings are permitted only where they are necessary to support the operation of rural undertakings.
11. Paragraph 55 of the National Planning Policy Framework (the Framework) provides support for sustainable development in rural areas where it will enhance or maintain the vitality of rural communities. The Framework is a material consideration to which I attach significant weight.
12. The Framework gives an indicative example of how development in groups of small settlements could maintain or enhance vitality by supporting services in nearby villages. Potterhanworth Booths does not have any services and therefore residents must travel to gain access to retail, leisure, educational and health care facilities.
13. I accept the appellants' point that vitality embraces more than just support for services and can include maintaining the scope for social interaction. However, paragraph 7 of the Framework is clear that the social dimension is but one element of sustainable development and is interdependent with economic and environmental roles.

14. The nearest village is Potterhanworth, which is approximately two miles away, and has a primary school but for secondary education and all other services residents of both settlements have to rely on larger towns and villages further afield. I have no evidence before me that any services are in need of support and the Council states that nearby settlements are thriving. Therefore, I conclude that the economic dimension of sustainable development would not be enhanced to any significant degree by the proposed scheme.
15. Potterhanworth Booths is connected to surrounding settlements by narrow, predominantly unlit, designated national speed limit roads without footpaths. Given the distance to other settlements and the nature of the road network, I consider it unlikely that journeys would be made on foot or by cycle.
16. The hamlet is served by five or six buses each day from Monday to Saturday, with no service on a Sunday. There is also an additional bus once each week to Lincoln which terminates at a Lincoln supermarket. I consider that the infrequent bus services, especially the single weekly bus to Lincoln, will result in a significant reliance on cars for the overwhelming majority of journeys. Therefore, I conclude that the proposal would undermine rather than protect or enhance the environmental dimension of sustainable development.

Other Matters

17. I am aware the Government has published the Housing White Paper 2017 which focusses on the need for an increased housing supply nationwide. However, a White Paper is not a statement of policy or law, and to date no Housing Bill has been published. I cannot be certain which, if any, of the proposals in the White Paper would eventually come into force. In any event, given the scale of housing need referred to, the modest benefit of one additional house is not sufficient to outweigh the unsustainable nature of the proposed development

Conclusion

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

D Guiver

INSPECTOR