
Appeal Decision

Site visit made on 1 August 2017

by R A Exton Dip URP MRTPI

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

Decision date: 25th August 2017

Appeal Ref: APP/Z2505/W/17/3174356

Land to the east of residential dwelling called 'Sharul', Frampton Lane, Hubberts Bridge, Boston, Lincolnshire PE20 3QU

- 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 F King and Sons against the decision of Boston Borough Council.
 - The application Ref B/16/0399, dated 14 October 2016, was refused by notice dated 9 December 2016.
 - The development proposed is described as proposed construction of 2Nr dwellings including access off Frampton Lane.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline form with consideration of access, all other matters being reserved. During the consideration of the planning application, but before its determination by the Council, the appellants submitted additional information promoting the social, economic and environmental benefits of the proposal. I have determined the appeal on the basis of this information.

Main Issue

3. The main issue is whether the site represents an appropriate location for residential development having regard to the development plan and the National Planning Policy Framework.

Reasons

Suitability of location

4. The appeal site is situated in the countryside, outside but adjacent to the Hubberts Bridge village envelope. It forms part of a larger arable field in the appellant's ownership on the southern side of Frampton Lane. There are frontage dwellings to either side of the appeal site and on the opposite side of Frampton Lane.
5. Policy CO1 of the Boston Borough Local Plan adopted 1999 ('the Local Plan') states that development will not be permitted in the countryside unless it is supported by other local plan policies. The appellants do not contend that the proposal complies with any other policies.

6. The Council acknowledges that it does not currently have a five year housing land supply. In light of this I consider Policy CO1 of the Local Plan carries limited weight. In the absence of a five year housing land supply, the provisions of paragraph 14 of the Planning Policy Framework (the Framework) require planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
7. Hubberts Bridge is a small settlement with limited facilities. Occupiers of the proposed dwellings would therefore need to travel to larger settlements for their day to day needs. Whilst the settlement has the benefit of a railway station and a regular bus service that would provide access to some services, occupiers would still be reliant on the private car to a large extent. The site's location on a road with no footpath and no street lighting would further make the private car a more likely option for travel.
8. The appeal site lies within an area of transition from open countryside to the built up area of the settlement. At present it forms a break between the frontage development on the south side of Frampton Lane that contributes to this transition. Its infilling with development, including the provision of a boundary hedge, would not significantly enhance the appearance of the area.
9. As an arable field the appeal site will provide an informal wildlife habitat. I consider that the provision of hawthorn hedging and bat roosts as part of the proposal would not provide a significant nett gain over its current status in terms of biodiversity.
10. On my site visit there was no evidence of the site's frontage being used to access the appeal site. Furthermore, I have no evidence of agricultural vehicles accessing or using the site causing problems to neighbouring residents.
11. The proposal would provide a very limited economic benefit through the creation of construction jobs, albeit for a temporary period. The contribution occupiers would be likely to make to the local economy would be similarly limited.
12. I have very limited information on the size and the significance of the Council's shortfall in housing land supply. Based on this I consider that the provision of two dwellings would make a very limited contribution to boosting the supply of dwellings within the borough and would not have a significant effect on the existence of a five year housing supply.

Other Matters

13. The site is located on a stretch of rural highway, close to the junction with Hubberts Bridge Road and within a 40mph speed limit. There are no restrictions to visibility along the sites frontage to Frampton Lane. The highway authority raises no objections to the proposed access. In light of these factors I conclude that the site would be capable of being accessed safely.
14. I note the appellant's reference to other planning permissions granted in the borough. Based on the limited information I have about the consideration of these proposals I can afford them only limited weight. In any event each application and appeal is assessed on its individual merits within the context of

the legislation, policies and individual circumstances that apply to it, and that is how I have dealt with this case. Consequently, the other planning permissions referred to do not act as a precedent in relation to this case.

Conclusion

15. The proposal would conflict with Policy CO1 of the Local Plan. Even affording it limited weight I find no material considerations that warrant departing from its restriction of residential development in the countryside. The inappropriate location of the site for residential development is not outweighed by the limited social and economic benefits identified above. Consequently, I conclude that the proposal does not represent sustainable development when assessed against the policies of the Framework as a whole. For these reasons and taking all other matters raised into account, including the scope of possible planning conditions, I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR