



Appeal Decision

Site visit carried out on 29 September 2020

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/E2530/W/20/3254637

South Fen Road, Bourne PE10 0DN

- 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 N Lewthwaite against the decision of South Kesteven District Council.
 - The application No S20/0380, dated 26 February 2020, was refused by a notice dated 28 April 2020.
 - The development proposed is described as residential development (outline).
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Decision

1. For the reasons that follow, the appeal is dismissed.

Preliminary Matters

2. The appeal relates to an outline application with all matters other than access reserved for future consideration. One of the plans before me shows a layout for four dwellings on the site. Notwithstanding the reference to four x 4+ bedroom dwellings in section 15 of the application form, the plan is clearly marked as illustrative only and I have dealt with the appeal on that basis. Whilst the Council's reason for refusal includes reference to various detailed matters, it is only the principle of development and details relating to access that are for consideration in relation to this appeal.
3. The appeal site lies to the rear of a plot of land with the benefit of outline planning permission for two frontage dwellings, that were allowed on appeal.¹ Access to the dwellings proposed would be taken from South Fen Road, between the two approved, but not yet built dwellings.

Main Issue

4. The main issue in this case relates to the effect of the development proposed on the character and appearance of the area.

Reasons for the Decision

5. The appeal site comprises the central part of a much larger field, the front part of which is the land the subject of the previous appeal.
6. The Inspector dealing with the previous appeal allowed the two dwellings on the basis that they could be considered as infill development, providing continuity to the existing building line. However, the policies against which that scheme was considered have since been superseded by the South

¹ APP/E2530/W/19/3221640 Allowed 30 May 2019

Kesteven District Council Local Plan 2011-2036 (January 2020). Policy SP3 of the current Plan, which is not referenced on the Decision Notice but is prayed in aid by the appellant) is supportive of infill development within defined settlements including Bourne, subject to specified criteria.

7. The grassed appeal site, which is not previously developed land, lies behind the site of the approved dwellings. As such, no dwelling on the appeal site would have a road frontage. Moreover, the site is not flanked by the same existing development as the approved scheme: the site of the two permitted dwellings is flanked to each side by an existing dwelling, each of which sits towards the front of its respective roadside plot. In contrast, the appeal site is flanked to the west by low commercial glass houses which extend back behind No 6 South Fen Road, with no obvious buildings or structures of any substance behind No 8 to the east, with the remainder of the field within which it is sited, behind. Given that overall context, the appeal site cannot, in my view, be considered as lying within a substantially built-up frontage.
8. In any event, the appeal site does not lie 'within the main built-up part of the settlement.' When considering the impact of new development, regard is had not only to any immediate buildings but also the landscape of the wider locality. On leaving Bourne, heading east along South Fen Road, there is a marked change in its character, with the landscape starting to open up on both sides of the road. Whilst the appellant asserts that the previous Inspector identified that part of the site is located within the built-up part of the settlement, that is not the case. She set out that this area is '*on the fringe of Bourne which is not densely developed*,' and that whilst the area has '*a rural sense of openness which is enhanced the further one travels along South Fen Road to the east*', the appeal site in that instance was '*within an area which provides a transition between the settlement of Bourne and the open countryside*' that surrounds it, notwithstanding employment development further to the east.
9. The handful of existing dwellings on the south side of this part of the road, including the approved dwellings, are located towards the road frontage, creating a linear, ribbon form of development, with the generally undeveloped nature of the land to the rear reinforcing the countryside character and appearance here. I recognise that there are glasshouses behind No 6, but those are buildings that are appropriate to a rural area. The development proposed would, uncharacteristically, extend the pattern of residential development back behind the frontage buildings, encroaching further into the countryside beyond the existing built form. That development in depth would consolidate and intensify the built form of development along this part of South Fen Road in stark suburban contrast to the existing transitional, more loose-knit feel of the area at the south-eastern edge of the settlement. In light of the forgoing, I find that none of the relevant criteria set out in policy SP3 are met.
10. The harm I have found above would compromise the nature and character of the settlement of Bourne, bringing the development into conflict with policies DE1 and SD1 of the Local Plan which, among other things, require that development proposals make a positive contribution to local distinctiveness and the character of the area, reinforcing local identity and proactively enhance the character of the District. For the same reason, there would be conflict with policy SP2, which is permissive of development within the built-up part of the town provided it would not compromise its nature and character. Whilst the

appellant highlights a reference to edge of settlement extensions in the policy, I have no reason to suppose that that relates to sporadic housing such as that proposed and the scheme gains no support from that.

11. Policy SP5 is permissive of development in the open countryside in specific circumstances, none of which apply in this instance. However, I am not aware of any defined settlement boundary for Bourne. As set out above, the appeal site clearly does not lie within the *main* built-up part of the settlement (as referred to in policy SP3). On the basis that the site lies within an area of transition *between* the settlement and the open countryside, the policy does not appear to be engaged and thus I find no conflict with it. Had the appeal been acceptable in all other regards, I would have required further evidence on this matter.
12. In support of the appeal, my attention is drawn to a number of permissions granted by the Council for residential development since adoption of the current Plan. The appellant refers to them as demonstrations of how policy SP3 is being implemented. However, only the relevant decision notice and plans have been provided for each. There is no indication of the Council's reasoning in those cases in terms of any consideration against policy SP3. In any event, the sites referred to in Rippingdale, Caythorpe and Baston all appear to be within built-up areas, unlike the appeal site. Although the site at Long Bennington appears to have more of an edge of settlement location, there seems to be a substantial building and associated car parking beyond the rear site boundary. The circumstances of those cases appear to be significantly different from the matters before me and I find nothing in those decisions to be directly comparable to the site specific circumstances of the current appeal site.
13. The appellant advises that future residents would have ready access to a comprehensive range of services and facilities in the town accessible by cycle or on foot. Be that may, that is not a consideration that outweighs the harm that I have identified.
14. For the reasons set out above, I conclude on balance that the appeal should not succeed

Jennifer A Vyse
INSPECTOR