



Appeal Decision

Site visit made on 11 January 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for

Decision date: 4 March 2021

Appeal Ref: APP/E2530/W/20/3260366

Land at Allington Road, Sedgebrook NG32 2EL

- 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 K & C Skinner (G Skinner & Sons) against the decision of South Kesteven District Council.
 - The application Ref S19/0911, dated 20 May 2019, was refused by notice dated 1 April 2020.
 - The development proposed is described as Residential development.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the site would be a suitable location for housing having regard to local policies relating to the spatial strategy and settlement hierarchy;
 - The effect of the proposed access on the character and appearance of the area; and
 - Whether or not it would lead to surface water flood risk.

Reasons

Location and character and appearance

3. The appeal site is an irregular shaped undeveloped grassed paddock contained by a number of residential dwellings broadly positioned in a semi-circle arrangement which follows the curve of the road. This proposal seeks outline planning permission for five dwellings with all matters reserved except for access, which would be taken from Allington Road.
4. The South Kesteven Local Plan (LP) identifies Sedgebrook as a 'smaller village' within Policy SP2. Development on the edge of a settlement is considered under LP Policy SP4 and its specific criteria.
5. The appeal site is partially visible from the existing field access gate from Allington Road. However it is seen more clearly in views from the Grantham - Nottingham railway line to the north of the site, where it currently appears as

an area of undeveloped countryside which serves to strongly contain the built residential developments of Sedgebrook.

6. The site forms part of the largely open, rural landscape with hedgerows flanking the road which defines the approach into the village from the north. The sweep of Allington Road forms a clear visual boundary to this part of the settlement, with detached dwellings in wide plots fronting its east side. The appeal site to the rear of this development is not previously developed land and nor is it located within a substantially built-up frontage. Rather than forming part of the existing built form, visually, physically and functionally, the site clearly sits within the countryside on the edge of the settlement. It constitutes a typical rural scene and contributes positively to the character and appearance of the area.
7. Given its edge of settlement location, the appeal proposal falls to be considered against the requirements of LP Policy SP4. The appellant has not demonstrated that they undertook pre-application engagement with the local community with support received. I am also made aware that, on the contrary, the proposal has been met with objection from the Parish Council. Thus, the scheme fails to accord with LP Policy SP4(a).
8. The requirements of LP Policy SP4(b) set out that proposals must be well designed and appropriate in size / scale, layout and character to the setting and area. SP4(d) requires that proposals must not extend obtrusively into the open countryside and must be appropriate to the landscape, environmental and heritage characteristics of the area.
9. In this case, sole pedestrian and vehicular access into the development would be directly from Allington Road at the furthest point of approach into the village. It would serve five detached and four bed dwellings, requiring a sizeable engineered access solution. The proposed new access and extension to the adjoining footpath would be synonymous of a planned housing estate. A wide entrance from Allington Road would create a harsh and incongruously urban form of development. Thus, the proposal would appear to obtrusively extend the village settlement further into the countryside and, as a consequence, would harmfully erode the rural character of the area.
10. The Paddock and Bowman's Way housing developments may have wide vehicular accesses into these developments. However, they have the appearance of being integral to the settlement as they closely relate to the village core.
11. Therefore, to conclude, the appeal site would not be a suitable location for housing having regard to local policies relating to the spatial strategy and settlement hierarchy and the proposed access would have a harmful effect on the character and appearance of the area. The proposal would conflict with LP Policies SP4 and DE1 which require proposals for development on the edge of settlements, among other things, to have substantial support from the local community, are appropriate to the setting and area and do not extend obtrusively into the open countryside and seek to promote good design.

Flood risk

12. There is clear evidence on site that Allington Road suffers from flood water as highway warning signs along the road were visible at the time of my site visit. A Flood Risk Assessment (FRA) has been undertaken which identified the site to be affected by surface water flooding. The Environment Agency flood maps confirms the site is potentially at risk from surface water flooding.
13. The FRA explains that the site's surface water would be managed by way of storage on site and discharged into the existing dyke that connects to the Foston Beck watercourse. It also explains that this would require mitigation works to clean out the dyke to deepen it.
14. Whilst the appellant confirms in writing a third party agreement, there is no way of agreement demonstrating details of longer-term management and maintenance requirements. I am not satisfied that planning conditions would provide sufficient confidence that measures could be employed to adequately mitigate flood risk. Therefore, regardless of any lack of objections received from statutory consultees, the appellant has not satisfactorily demonstrated that the site would be flood resilient.
15. Therefore, I conclude that the proposal fails to comply with LP policies SD1, ENV5 and the National Planning Policy Framework in their combined objectives to manage flood risk.

Other Matters

16. Although permission has previously been granted on the site for residential development, this dates from some time ago in 2000 and 2003, approved under different local and national planning policy. The Council may have found the proposal in outline for a single bungalow development to acceptably comply with policy at that time. However, new planning decisions are not bound by previous permissions. In any regard, as is my duty, I have considered the proposal before me and reached my own conclusion on the matter.
17. The appellant has brought to my attention a number of examples of other residential developments approved by the Council although none of these are located within Sedgebrook. Furthermore, the precise details are not presented to me and therefore I apply limited weight to their circumstances.

Conclusion

18. Planning law requires development be determined in accordance with development plans unless material considerations indicate otherwise. There are no material considerations presented to lead me to a different conclusion.
19. For the reasons set out above, the appeal is dismissed.

Alison Scott

INSPECTOR

