



Appeal Decision

Site visit made on 27 July 2020
by C Rafferty LLB (Hons), Solicitor

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal Ref: APP/E2530/W/20/3252051

Land off Hall Lane, Harrowby, Grantham, Lincolnshire

- 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 D Parry of Carlin Construction Limited against the decision of South Kesteven District Council.
 - The application Ref S19/0374, dated 21 February 2019, was refused by notice dated 20 December 2019.
 - The development proposed is described as 'construction of new dwelling including conversion of part of former farm building, associated hard and soft landscaping, means of access and means of enclosure'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The address of the site has been taken from the appeal form as no such address was provided on the application form. However, it is considered that the address of Hall Road was a typographical error and this has been changed to Hall Lane.
4. The South Kesteven District Council Local Plan 2011 – 2036 (the Local Plan) was adopted in January 2020 and Policies SP1 and H1 of the Core Strategy referred to in the Council's decision notice have been superseded. The appeal must be determined in accordance with the development plan as it now stands, having regard to section 38(6) of the Town and Country Planning Act 1990. The parties have had the opportunity to provide commentary on the updated policy position.

Main Issue

5. The main issue is whether the proposal is in a suitable location for new residential development having regard to local and national planning policy and its proximity to local shops and services.

Reasons for the Recommendation

6. In accordance with Policy SP1 of the Local Plan decisions on the location of new development will be based on the 'Settlement Hierarchy' set out in Policy SP2. This

is to ensure that development is in the most sustainable and suitable locations, enabling access to services and facilities locally. This is consistent with the sustainability aims of the National Planning Policy Framework (the Framework).

7. While Policy SP2 lists 'Larger Villages' and 'Smaller Villages' where certain development proposals will be supported, Harrowby, where the appeal site is situated, does not fall under either category. In addition, while Policy SP4 supports development on the edge of settlements, the site cannot be deemed to be on the edge of Grantham due to intervening countryside. Accordingly, it does not fall within an area identified by the Local Plan as addressing local growth needs and is located in the open countryside for planning purposes regardless of the nearby development along Hall Lane.
8. Proposals in the open countryside are restricted unless the circumstances outlined in Policy SP5 apply. As such, development is limited to that which has an essential need to be located outside of the existing built form of a settlement. Construction of a new dwelling is not an essential need in this regard. While SP5 does state that conversion of buildings will be supported, such buildings must be suitable for conversion without substantial alteration, extension or rebuilding. Given the extent of new build construction required as part of the proposal in addition to the conversion of the farm building, the scheme goes beyond what could be considered as a conversion and is not supported by this policy.
9. In addition, the appeal site is located some distance from the local services and facilities in Grantham centre. A church and shop are present in closer proximity and the appellant has provided potential walking and cycling routes to these. A long section of the walking route runs alongside open fields and is not tarmacked, with no street lighting. The cycle route, while tarmacked, is located along the narrow unlit road of Hall Lane before emerging at the junction with Harrowby Lane, where national speed limit applies.
10. As such, the routes are neither easy or safe and future occupiers would be unlikely to use these for routine journeys, particularly during inclement weather and times of reduced daylight. In addition, use of these routes would be particularly difficult for wheelchair users or parents with prams. While nearby bus stops provide access to additional facilities, from the plans submitted it would be necessary to first use the walking or cycling routes identified to reach these stops. Therefore, while the distance between the site and Grantham may be comparable to other housing estates on the edge of large towns, the nature of the journey in this instance remains an issue. Consequently, it is likely that future occupiers would be heavily reliant on a private motor vehicle. This is contrary to the aims of the Framework, which seeks to promote sustainable transport modes and to ensure that safe and suitable access to sites can be achieved for all users.
11. Moreover, consideration of the location is not limited to the journeys made by the occupiers of the property itself. Policy SP1 notes that decisions on investment in services and facilities on a wider level will be made on the basis of the settlement strategy. The provision of services such as postal or other deliveries and refuse collection to comparatively remote dwellings will involve greater complexity than those based around nucleated settlements and the site is poorly related in that regard.
12. The proposal would re-use brownfield land which, in accordance with paragraph 118(c) of the Framework, should be given substantial weight. Policy SP1 also acknowledges the benefit of using previously developed land. However, this does

not override the need to consider other locational considerations of the proposal, nor does it mean that all previously developed land would be suitable for residential development. The Local Plan, which is up to date, has taken this into consideration when defining the settlement hierarchy and the fact that the appeal site is previously developed land does not outweigh the aims of the Local Plan as a whole.

13. I find that the development is not in a suitable location for new residential development having regard to local and national planning policy and its proximity to local shops and services. Accordingly, it would fail to comply with the Local Plan and the Framework as set out above.

Other matters

14. Benefits of the proposal have been cited, namely that it would contribute to housing supply and would provide construction employment. Due to the small scale of the development such benefits are afforded limited weight.
15. The appellant has pointed out that the scheme would not cause harm to the historic environment or the surrounding character. However, in order to comply with national and local policy, any scheme would be expected to have regard to such matters. The absence of harm in those respects does not amount to a benefit over and above what would normally be expected, and attracts limited weight.
16. The appellant has referred to adjacent residential barn conversions as evidence that the site is in a sustainable location. I have no evidence of the circumstances under which planning permission for these was granted, apart from an acknowledgment that they were assessed under different planning policy. The current proposal, which as outlined above cannot be described purely as a conversion, must be assessed on its own site specific circumstances in accordance with current policy, and reference to these conversions carries limited weight.

Conclusion and Recommendation

17. Planning law requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the appeal proposal is contrary to the settlement strategy as laid down in the Local Plan, which itself is up to date and consistent with the Framework. While minor benefits arising from a new dwelling have been identified, these are not sufficient to outweigh the harm arising from the unsuitable location of the site or the presumption in favour of the Local Plan. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

C Preston

INSPECTOR