
Appeal Decision

Site visit made on 20 April 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2021

Appeal Ref: APP/Y2003/W/20/3262375

Land East of St George's Court, Redbourne DN21 4QP

- 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 Ralph Day against the decision of North Lincolnshire Council.
 - The application Ref PA/2020/565, dated 30 March 2020, was refused by notice dated 3 July 2020.
 - The development proposed is erection of up to 16 dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all matters reserved for future consideration, save for access which is to be determined at this stage. I have dealt with the appeal on this basis and I have taken the indicative plan into account only insofar as it is relevant to my consideration of the principle of the proposed development on the site.
3. A signed Planning Obligation by Unilateral Undertaking (UU) was submitted with the appeal. I have also been provided with a section 106 agreement dated 16 April 2021 which effectively supersedes the UU. I have therefore considered the provisions of the Section 106 agreement in coming to my decision. I provide further comment on the agreement later in this decision.
4. The appeal is supported by a Landscape and Visual Appraisal (LVA). This document did not form part of the planning application. The Council and third parties have had an opportunity to comment on the document and I am satisfied that no party would be prejudiced by my taking the LVA into account.

Main issues

5. The main issues are:
 - (i) whether the appeal site is an appropriate location for residential development, having regard to local and national planning policies and access to services and facilities;
 - (ii) the effect of the development on the character and appearance of the area; and
 - (iii) the effect on the overall planning balance of other considerations including social and environmental factors.
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Reasons

Location

6. The appeal site is outside of the defined development limits for Redbourne and in the open countryside for the purposes of the development plan. The North Lincolnshire Local Development Framework Core Strategy June 2011 (Core Strategy) identifies Redbourne as a rural settlement.
7. Policy CS8 of the Core Strategy provides an overarching spatial strategy for the plan area. The broad aim is to focus housing development in Scunthorpe and specific market towns. New housing in rural settlements will create the opportunity for small scale infill development. However, in rural settlements in the countryside and in the open countryside outside development limits, housing development will be strictly limited.
8. Policies CS2 and CS3 of the Core Strategy and Policy RD2 of the North Lincolnshire Local Plan (adopted May 2003) (the Local Plan) set out the types of development which could, as an exception, be permitted on sites outside of development limits. The appeal scheme does not fall into any of these categories.
9. The allocation of Redbourne as a rural settlement assumes that there will be scope to create opportunities for small scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. The Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, but the Framework identifies sustainable locations as those that limit the need to travel and that offer a genuine choice of transport modes.
10. Redbourne has a public house and some recreational facilities but there are limited other services and facilities that provide the likely daily requirements of the occupants of the new dwellings. At my site visit I noted the location of the services and facilities within Hibaldstow and I saw that these were only a short drive away. The limited footpath along Redbourne Road is not of sufficient width and construction for the appeal site to be accessible on foot or by bike other than for recreational purposes.
11. Further, although there is a limited bus service, the services described in the evidence are unlikely to be frequent or flexible enough to provide reliable access to services and facilities in other villages and therefore it is likely that occupants of the new development would rely on the use of a car to access these facilities for daily needs.
12. The appellant refers to the outline planning permission granted for a site for residential development close to the appeal site¹. The Council concluded in that case that the village could accommodate some growth, the site was well related to the village and small scale. However, the number of dwellings proposed as part of this scheme would be a marked increase in the number of dwellings within the village and could not be described as small scale.
13. I appreciate that the coronavirus pandemic may result in more people continuing to work from home. It is too early to understand the effect of the pandemic on working patterns but were that to be the case it would be more

¹ Local authority application ref PA/2018/792

important to ensure that new development has access to services and facilities close to home to meet daily needs and that such facilities are accessed by other means than the car.

14. Therefore, I conclude that the appeal site is not an appropriate location for residential development, having regard to local and national planning policies and access to services and facilities. It would conflict with Policies CS2, CS3 and CS8 of the Core Strategy and Policy RD2 of the Local Plan. It would also conflict with paragraph 78 of the Framework where it states that in rural areas, planning policies and decisions should be responsive to local circumstances.

Character and appearance

15. Policy CS8 of the Core Strategy expects that all development outside of development limits should not have an adverse impact on the environment or landscape. Similarly, Policy RD2 of the local plan supports certain forms of development in the countryside provided it would not be detrimental to the character and appearance of the open countryside or a nearby settlement.
16. The appeal site is located on the north-east side of Redbourne village, north of Carr Lane and east of St George's Court. It is the southern edge of a large intensive arable field beyond which is a former airfield to the north.
17. The LVA identifies that the appeal site lies within the Landscape Character Area 'Lincolnshire Edge' and, within that, the Landscape Character Type 'Elevated Open Farmland'. Characteristics include exposed open landscapes, extensive views emphasised by the open character of the farmland, lack of field boundaries, limited tree cover and local settlements containing a mix of local building materials. The appeal site displays some of these key characteristics and therefore is sensitive to change.
18. While there is a short cul-de-sac to the south side of Carr Lane and St George's Court to the north the overwhelming character of Carr Lane at its entrance is of frontage dwellings of various siting and design set in relatively spacious, landscaped plots set back from the road with open front boundaries. The attractive landscaped setting of the dwellings adds to the character of the lane but the overall width to the highway including the footpath results in a relatively suburban character.
19. However, beyond the entrance to St George's Court, the grass verges to either side of the road and the tree and hedge planting along the appeal site frontage dominate the lane and the lane appears to narrow. At this point Carr Lane takes on a rural character which leads through to the rural footpaths and agricultural land beyond the appeal site. In addition, the northern boundary of the appeal site does not pick up on any recognisable existing boundary. It cuts across the middle of a larger agricultural field and the open nature of the land provides views to the wider landscape from Carr Lane. The effect of the open rural character of the appeal site and the strong front boundary landscaping along most of the frontage is that the appeal site integrates into the countryside and forms an intrinsic part of the village's rural setting.
20. While the appellant refers to the development being 'rounding off' of the settlement, the frontage of the appeal site extends beyond Park Lane where it would be especially prominent against the rural backdrop. The LVA refers to

the placement of a small area of open space opposite the Park Lane junction and the design of dwellings with gable elevations to the road to minimise the amount of visible built form past the junction. Nevertheless, in views from the footpath to the south and from Park Lane the development would appear to extend the village and the development would appear prominent in its rural setting and detrimental to the character and form of the village.

21. Further, the access into St George's Court runs along the western boundary of the appeal site and is separated from it by mature hedging. The proposed development would be served via an access taken from this road frontage with existing landscaping adjusted to accommodate this. The single access into the land indicates a form of development at odds with the frontage arrangement of buildings characteristic of Carr Lane. The anticipated form of development would detract from the character of the lane.
22. I note that the LVA states that northern and eastern proposed landscaped boundaries would achieve 5 to 7 metres in height in 7 years and with mostly native tree and shrub species this screen could go on to achieve 12 metres plus which would largely screen views from the northside of Redbourne. Nevertheless, this boundary is shown to sit adjacent to the rear boundaries of properties. I understand that this is illustrative but landscaping to the rear boundaries of north facing gardens are unlikely to maintain a high boundary and, even if the arrangement of buildings is different, such high landscaping on the boundary of the site would dominate the development. Landscaping is more likely to be significantly less than this in height. As a result, the development would be conspicuous from the elevated Redbourne Road when travelling towards the village.
23. The landscape effects of the development would be perceived visually by neighbouring residents, recreational users and residents using the footpaths to the south of Park Lane and persons using Redbourne Road. All would experience some negative visual effects from the loss of longer views and the change in the landscape character.
24. Overall, the development would detract from the positive contribution the appeal site makes to the landscape type and character and the rural setting of the village. The location of the proposed access and the indicative layout do not illustrate that the proposed development would sit acceptably within the appeal site's rural context or be appropriate to the character of Carr Lane. The development would have an urbanising effect on the appearance of the Lane and would result in a prominent encroachment of built development into the open countryside that would detract from the rural character and appearance of the area. While I have had regard to the conclusions of the LVA, I consider that the overall effect of the development on the character and appearance of the settlement would be significant and adverse.
25. For these reasons I conclude that the proposal would result in significant harm to the rural character and appearance of the area and would conflict with Policies CS2, CS3, CS8 of the Core Strategy and Policy RD2 of the local plan. It would also conflict with the Framework.

Section 106 agreement

26. The section 106 agreement provides a mechanism to secure the provision of a leisure contribution which would be used to improve the shower and changing facilities at Ancholme Leisure Centre in Brigg and provide for no less than 10% affordable housing subject to the provision of a minimum of two affordable housing dwellings on site.
27. Taken together policies in the Core Strategy require development to meet the reasonable costs of recreational facilities and affordable housing made necessary by the proposal. I consider the obligations to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to it. The agreement meets the relevant statutory² and national policy³ tests. I have therefore taken the obligations and contributions into account in reaching my decision.

Other considerations

28. The parties agree that the Council cannot demonstrate a 5-year supply of deliverable housing land. The appellant estimates the housing supply to be approximately 4 years and this figure has not been challenged by the Council. The Council refer to there being no special need for dwellings in this location, however, given the shortfall in required housing land and the considerable undersupply I attach substantial positive weight to the provision of new housing.
29. The scheme would result in a degree of economic gain to the area through the construction and occupation of the development. Those jobs associated with construction would be temporary and limited, however, household expenditure would support the local public house and the shops and services in nearby settlements. I attach moderate weight to these benefits.
30. Whilst there would be Council Tax revenue from the development, there would also be new occupiers to serve. As such, this revenue would mitigate the effects of the proposal and the demands of those future occupiers on local services and is a neutral factor in the planning balance.
31. From a social perspective the scheme proposes a minimum of two affordable houses and could provide a mix of dwelling types and increase the supply of housing for local people. I note that the appellant identifies that there may be a need for affordable housing for existing farm workers in the village, however, nothing within the application would provide specifically for such farm workers. I also note that the affordable housing within St George's Court has been successful, and the proposed affordable units within the appeal development are supported by an affordable housing provider who identifies a clear need in the village. These are important matters and I attach substantial positive weight to the benefit of providing a mix of housing, increasing the supply of housing more generally and providing housing for specific groups of people.
32. The provision of open space within the development would be available for the village to use, although I have not been provided with evidence of any short

² Provided by Regulation 122(2) of the Community Infrastructure Levy Regulations 2010

³ Set out in paragraph 56 of the Framework

fall in open space provision, I attach limited positive weight to the provision of additional open space.

33. For the reasons I have set out above I do not consider that there are environmental benefits associated with the application sites location or access to services and facilities. Although there would be some net gains in biodiversity because of additional landscaping this is a policy requirement and is neutral in the planning balance. Overall, I attach very limited weight to the environmental benefits of the scheme.
34. The provision of a leisure contribution through the section 106 agreement would largely offset the impact of the development and is a neutral factor.

Planning Balance and Conclusions

35. The lack of a deliverable 5-year housing supply triggers the application of paragraph 11 d (ii) of the Framework.
36. I conclude that the proposal would have a harmful effect on the character and appearance of the area and would not be a suitable location for development having regard to access to services and facilities and the development plan policy. The Framework paragraphs 77, 127 170 and 103 are clear that development should be responsive to local circumstances, sympathetic to local character, including the surrounding built environment and landscape setting, recognise the intrinsic character and beauty of the countryside and limit the need to travel and offer a genuine choice of transport modes. Therefore, even when considering the Framework's objectives of significantly boosting the supply of housing, the substantial short fall of housing land supply identified and the contribution medium sized sites can make to this supply as well as the substantial benefits I attribute to the schemes social benefits and the other benefits I have set out, I attach significant weight to the harm I have identified.
37. In the terms of paragraph 11(d)(ii) of the Framework I conclude that the significant adverse impacts of granting planning permission for the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
38. My conclusion is that the proposal is in overall conflict with the development plan and that conflict is not outweighed by other material considerations including the Framework. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR