



Appeal Decision

Site visit made on 1 February 2022

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2022

Appeal Ref: APP/D2510/W/21/3278865

Land at Chapel Lane, Utterby, Louth, Lincs. LN11 0TR

- 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 M Goulsbra against the decision of East Lindsey District Council.
 - The application Ref N/192/00231/21, dated 9 February 2021, was refused by notice dated 14 April 2021.
 - The development proposed is Outline erection of 2 No dormer bungalows.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved and I have determined the appeal on that basis. I have, however, had regard to a proposed site layout plan showing a development of 2 dwellings with detached garages and individual accesses taken from Chapel Lane.

Main Issue

3. The main issue is whether or not the site provides a suitable location for housing having regard to the Council's adopted strategy for managing housing delivery.

Reasons

4. The site consists of part of a field to pasture located adjacent to the rural settlement area of Utterby. The small settlement straddles the A16, a busy route between the larger towns of Louth to the south and Grimsby to the north. The village benefits from limited services to support day-to-day living needs, however, it is well linked to the larger service centres including via public transport routes.
5. Policy SP1 of the East Lindsey Local Plan [2018] (the LP) defines Utterby as a Medium Village. Policy SP4, relating to housing in Medium Villages, prioritises the use of brownfield land and restricts new housing to areas within the developed footprint of the village.
6. On the eastern side of the main road, the arrangement of development in the village largely consists of properties fronting on to the A16 and along the initial lengths of rural roads serving isolated farmsteads in the surrounding predominantly arable landscape to the east. Due to the close proximity of the lanes some infilling between the ribbons of development has taken place.

However, the areas more distant from the main road frontage are typically of single depth development bordering and infringing into the more open areas of the countryside. The surrounding undeveloped gaps are important to maintaining the rural character of the settlement and form part of the typical local development pattern.

7. The greenfield site is a limited part of a single field. The field is characteristic of the local rural landscape and interjects between single depth ribbon development on Chapel Lane and Grange Lane. Although the wider field is partially bordered by housing development on almost 3 sides, it retains a distinct open and undeveloped character.
8. On the ground, Chapel Lane and the regular rear and side boundary lines to development on Grange Lane and Jacobs Close provide strong lines to the settlement edges. In that context, although the proposal would continue a line of developed frontage on Chapel Lane, it would be open on two sides such that it would appear as outward encroachment rather than infill. The encroachment effect would be exaggerated by the significant combined width of the plots and contrived rear boundary lines.
9. Although new housing in the locality could assist in sustaining some existing local services and facilities, occupiers of the homes would be largely dependent on private motor vehicles to access services necessary to support day-to-day living, education, health, recreation and community facilities, or employment opportunities. The attendant need to travel and pressure on limited local infrastructure and service capacities would run counter to the Council's approach to managing proportionate growth in rural villages.
10. In support of the proposal the appellant contends that Policy SP4 restricts future expansion of the village as there are currently no available policy-compliant alternative sites within it. However, this argument is supported by little objective evidence or analysis. If a shortfall in provision for local housing need has arisen since the adoption of the approach to the village's development, such that proportional growth of the settlement over the plan period cannot be accommodated, there is little to demonstrate this also. Accordingly, I am not persuaded that the policy is out of date for the purposes of assessing the proposed development.
11. I also note the appellant's contention that the site lies between extremities of development associated with the village and to omit the land between would be illogical. However, in the context of the existing settlement pattern, such an approach would offer numerous options for new housing development and could lead to a significant expansion of the village population. This would run contrary to the settlement hierarchy and spatial strategy for growth.
12. For the above reasons, I find the proposal would diverge from the Council's adopted approach to managing housing delivery. It would conflict with Policies SP1 and SP4 of the LP as they seek to manage the spatial distribution of new housing to achieve sustainable patterns of growth.

Other Matters

13. I acknowledge that an increasing move to electric vehicle use would limit air quality issues in the coming years, however, this would not reduce the travel requirement associated with a location distant from many services and

facilities. It is therefore a matter of negligible weight in favour of the development.

14. I note the appellant's assertion that the proposal complies with Policy SP25 of the LP and those in relation to the effects of the development on such matters as local amenity, drainage, highway safety and biodiversity. However, as requirements of the development plan these are not matters in favour of the development. Furthermore, I find the fact that the site would not be prominent from outlying areas is not a sound reason to overcome the harm arising from the identified conflict with the spatial strategy for housing growth.

Conclusion

15. The proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not be allowed.

R Hitchcock

INSPECTOR