The Planning Inspectorate

Appeal Decision

Site visit made on 3 May 2022

by M Ollerenshaw BSc(Hons) MTPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2022

Appeal Ref: APP/R2520/W/21/3289598
Land adjacent to 40 Town End, Wilsford, Grantham NG32 3NY

- 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 Susan Roberts against the decision of North Kesteven District Council.
- The application Ref 21/1061/OUT, dated 9 July 2021, was refused by notice dated 14 October 2021.
- The development proposed is an outline planning application for the erection of 2 no. dwellings.

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 this basis. I have had regard to the accompanying illustrative block plan which indicates a potential siting for the dwellings.

Main Issue

3. The main issue is whether the appeal site would be a suitable location for the proposed development, having regard to local policies which seek to achieve sustainable patterns of development and protect the character and appearance of the area.

Reasons

4. The appeal site is a rectangular shaped area of grassland which is adjacent to 40 Town End. It is located towards the north-western edge of the settlement and forms part of a swathe of open land which extends to the north and east. The site is bounded by established hedges to either side, a low fence to the site frontage and has an undeveloped and open appearance.

5. The indicative layout for the appeal scheme suggests that the site would be divided almost equally in two to provide two large detached bungalows with similar length frontages. The proposed dwellings would be served via a new shared access road with turning heads and parking areas.

6. Policy LP1 of the Central Lincolnshire Local Plan (2017) (the Local Plan) and the National Planning Policy Framework (the Framework) set out a presumption in favour of sustainable development. Local Plan Policy LP2 sets out the spatial strategy and settlement hierarchy for Central Lincolnshire and seeks to concentrate growth on the main urban areas of Lincoln, Gainsborough and

Sleaford, and in settlements that support their roles, with remaining growth being delivered elsewhere in Central Lincolnshire to support the function of other sustainable settlements and to help meet local needs.

7. The settlement hierarchy classifies Wilsford as a 'small village', which will accommodate small scale development of a limited nature in 'appropriate locations'. Policy LP4 of the Local Plan applies a sequential test to new development, with priority given to brownfield land in appropriate locations within the developed footprint of the village; followed by brownfield sites at the edge of settlement in appropriate locations; and finally, greenfield sites at the edge of a settlement, in appropriate locations. Policy LP4 confirms that over the plan period this village will be permitted to grow by 10% in the number of dwellings, which equates to 19 dwellings, of which 10 have either been constructed or benefit from extant planning permission according to the Council.

8. In referring to the term 'appropriate locations', Local Plan Policy LP2 requires those sites if developed to retain the core shape and form of the settlement; not significantly harm the settlement's character and appearance; and not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village. The policy goes on to refer to the 'developed footprint' of a settlement and defines this as 'the continuous built form of the settlement' and excludes, amongst other things, individual buildings or groups of dispersed buildings which are clearly detached from the continuous built-up area of the settlement.

9. Given their location on the north-eastern side of Town End with fields on both sides and to the rear, the three existing dwellings are dispersed and clearly detached from the continuous built-up area of the settlement. There is no strong coherence to the pattern of development in the immediate vicinity of the appeal site, albeit that I accept a more regular linear pattern of development exists along the southern side of Town End. Notwithstanding the three properties immediately to the north-west of the site, including No 40, and on the opposite side of Town End, the open, agricultural character of the site means that it reads as part of the countryside, which contributes positively to the rural surroundings to the edge of the village.

10. The open nature of the appeal site, and its physical and visual connection to the wider countryside, means there would be a change to its character as a result of the proposed development. The proposal would extend the existing development on this side of Town End eastwards in a linear fashion into the open countryside and therefore alter the core shape and form of the village. Given the open land to the north and east of the appeal site, it does not represent an infill plot as asserted by the appellant.

11. The site has a relatively long frontage onto Town End, such that the development of two dwellings would be particularly prominent in views from the road. The new dwellings would inevitably have an urbanising effect on the rural character of the site, the effects of which would be exacerbated by the formation of a new access and provision of hard surfacing for the access road and driveways, gardens, boundary treatments and domestic paraphernalia associated with residential occupation. Whilst the development would be partly screened by hedges to the side boundaries, and it may be possible to provide

further soft landscaping, these would not sufficiently mitigate the adverse visual effects of the proposal, particularly when viewed head-on.

12. The proposed development would therefore represent an encroachment into the countryside and detract from the contribution that the site makes to the rural surroundings of the village. For these reasons, the development does not represent an appropriate location for new housing development under the terms of Local Plan Policy LP2. Consequently, it does not fall within the type of sites listed as being given priority under the sequential test in Local Plan Policy LP4.

13. The appellant contends that the designation of a large section of the village as a conservation area reduces the availability of suitable sites. However, the appellant states that only a cursory search of available plots within the village has been undertaken which resulted in no building plots being available. That does not suggest that a rigorous assessment of the availability of sequentially preferable sites has been undertaken. No substantive evidence has been provided to demonstrate which other sites have been investigated. Consequently, given the length of the plan period and the limited growth allowance remaining, I cannot be satisfied that no suitable sites exist within the developed footprint of the village, including within the conservation area. I acknowledge the appellant's view that the village has seen very limited development for new housing for almost ten years. However, that does not demonstrate that there are no available sites in appropriate locations within the developed footprint of the settlement.

14. For the above reasons, I conclude that the site would not be a suitable location for the proposed development having regard to local policies which seek to achieve sustainable patterns of development and protect the character and appearance of the area. The proposal would therefore conflict with Policies LP1, LP2 and LP4 of the Local Plan, as described above, as well as Policy LP26, which, amongst other things, seeks high quality sustainable design that contributes positively to local character, landscape and townscape. It would also conflict with the Framework, which requires sustainable development and seeks to ensure that proposals contribute to and enhance the natural and local environment, as well as advice contained in the National Design Guide which seeks to ensure that development responds to its context.

15. The new dwellings would be situated on plots of not dissimilar size to the three existing dwellings on this side of Town End. Therefore, although the proposal would be a low density development, in this respect it would generally accord with the density of existing dwellings in the immediate area. I do not therefore consider that the proposal would conflict with paragraph 124 of the Framework relating to the efficient use of land.

Other Matters

16. A number of comments have been made by interested parties, which include concerns about the safety of the access, the effects on the living conditions of neighbours, impact on wildlife, and contamination. The Council have not raised objections to the proposal on these grounds and I have no reason to disagree with this assessment based on the evidence before me and my observations on site. I concur with the appellant that the proposal would comply with guidance within the Framework relating to flood risk. However, the absence of harm in

relation to these matters is effectively neutral in the planning balance rather than weighing positively in favour of the proposal.

17. The development would offer potential benefits in terms of providing two new dwellings to the Council's housing stock. It would also have economic benefits through employment opportunities during the construction phase of the development, Council tax revenue and spending in the local area by future occupants, which would contribute towards the vitality of the village. I have attached some weight to these factors. However, given the modest scale of the development, the weight attributable to these matters is limited and is not sufficient to outweigh the harm that I have identified and the conflict with the policies I have referred to.

Conclusion

18. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR