



Appeal Decision

Site visit made on 26 July 2022

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2022

Appeal Ref: APP/D2510/W/22/3293523

Land Adjacent to Foxglove, Copper Street, Bucknall, Woodhall Spa LN10 5EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Brant Evison of A&B Evison Developments Ltd against the decision of East Lindsey District Council.
 - The application Ref S/022/02032/21, dated 23 September 2021, was refused by notice dated 19 November 2021.
 - The development is described on the application form as 'Proposed is the erection of 2 new single storey dwellings'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the site address from the appeal form as it is more descriptive than that on the application form which had only a map grid reference.

Main Issues

3. The main issues are:
 - whether the site is a suitable location for housing with respect to the Council's Housing Strategy; and
 - the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Suitability of location

4. The appeal site is part of a wider field on the outskirts of Bucknall. At the time of my site visit, part of the site was overgrown and the rest was in use for grazing. Access to the rest of the field was provided through the site. The village itself is in the form of three clusters, and this site sits at the outermost edge of the most easterly of the clusters.
5. The East Lindsey Local Plan Core Strategy adopted July 2018 (ELLP) Policies SP1 to SP4 establish a settlement hierarchy for the authority area. ELLP Policy SP1 defines Bucknall as a medium village. ELLP Policy SP3 further defines Bucknall as being an inland settlement and makes clear that housing development is to be focussed on Towns and Large Villages to direct

development to those settlements with the greatest levels of services and facilities. ELLP Policy SP4 sets the locally specific criteria in which housing would be allowed in inland medium villages.

6. The first of these is that the development would be in an appropriate location within the developed footprint of the settlement as infill frontage development of no more than two dwellings.
7. The site is not within the developed footprint which is defined as the continuous built form of the settlement rather it would extend the village on an undeveloped field adjacent to it. Nor would it constitute infill development as there is only built development immediately adjacent to one side of the site. I acknowledge there are dwellings on the opposite side of the road, however that would not make the development infill as it would normally be understood. The proposed development would therefore not be sited in an appropriate location as set out in the settlement hierarchy.
8. The appellant has brought a decision at Main Street, Bucknall to my attention. That decision was made by the Council and their officer report makes clear that rather than entirely conforming with ELLP Policy SP4, that proposal "mostly" complies with the policy. I therefore interpret the way that the Council reached that decision was that the policy was not complied with, but other matters outweighed that conflict. It is true that the relationship of that site within the village surrounded by development is markedly different to the case before me. It would not justify me reaching a different conclusion on the conflict with ELLP Policy SP4.
9. The second of the circumstances set out in ELLP Policy SP4 specifically requires compliance with ELLP Policy SP25 Clause 2. The policy relates to the protection of Green Infrastructure. The land is agricultural and, as the supporting text of the policy acknowledges, agricultural land is generally not managed for wildlife or public access. This issue was specifically considered in one of the appeal decisions elsewhere within East Lindsey that have been brought to my attention. My view is consistent with the Inspector in that case that ELLP Policy SP25, which seeks to protect Green Infrastructure, in these circumstances is not applicable.
10. ELLP Policy SP4 also refers to national policy when defining an appropriate location for development in medium villages. Paragraph 105 of the National Planning Policy Framework (the Framework) confirms that patterns of growth should be actively managed to support development on more sustainable locations. As the appellant points out, there is a footpath alongside the site linking it with Main Street. This in my view does not make the site particularly accessible even if the walking times to the nearest bus stop would take 10 to 15 minutes or possibly less to the "Demand Responsive Transport" service. I have been given little detail about these public transport services and from what has been submitted and what I saw, there would be a significant degree of dependence on the private car for meeting day-to-day needs.
11. Paragraph 79 of the Framework confirms that housing should be located where it will enhance or maintain the vitality of rural communities, and notes that development in one village may support a village nearby. While the appellant has noted that the growth of online services is such that demand for physical services will be less, this development is likely to lead to an increase in the use of some services either in Bucknall or the surrounding settlements.

12. In relation to this main issue, the proposed development would not be in a suitable location for housing, as it would not comply with ELLP Policies SP1 and SP4 which seek to ensure that development is focussed within the most sustainable settlements. The lack of conflict with ELLP Policy SP25 does not positively support this location for housing.

Character and appearance

13. The transition from the countryside to the developed area of Bucknall is quite abrupt, with the development on Copper Street being continuous and given additional prominence due to the hard boundary feature at the first dwelling. The appeal proposal would therefore be viewed in conjunction with existing development, minimising its effect on the intrinsic value of the countryside.
14. The proposal would not be prominent at the entrance to the settlement, due to the presence of the dwellings on the opposite side of the road and the two-storey building next to the plot adjacent to the appeal site. The wider agricultural setting of the village would remain. The submitted plans show the retention of the hedge along the northern boundary (apart from where it would be removed to provide vehicular access) which would assist in integrating the development into the surrounding area. Any longer distance views of the dwellings would be viewed in the context of the existing built development, and as such, would have a neutral effect on the wider rural landscape.
15. In relation to this main issue, I find that the development would have an acceptable effect on the character and appearance of the surrounding area in accordance with ELLP Policy SP23 which seeks to protect the landscape and paragraph 174 of the Framework which requires the intrinsic character and beauty of the countryside to be taken into account.

Other matters

16. There is no dispute that the Council can demonstrate a five year supply of housing land or therefore that the ELLP is inconsistent with the Framework. Nonetheless, the provision of additional dwellings is an undoubted benefit of the proposal. There would be economic benefits arising from the construction process, however these would be limited due to the small scale of the scheme.
17. I note that the dwellings have been designed to be suitable for older people and people with disabilities, and that the Council have questioned if there is a local need for such provision. However there is no mechanism before me to ensure that the dwellings are occupied by either of these groups of people and I therefore attach no weight to this.
18. I note the previous appeal decisions within the Council area that have been submitted. I do not have the full details of all of those cases before me, however I have considered this appeal on its individual merits, particularly the circumstances of its relationship with the existing developed footprint to reach my conclusion.
19. There is no specific evidence before me as to the quality of broadband available within Bucknall, and I therefore attach no weight to this factor.
20. My conclusion on the first main issue is not outweighed by my conclusion on the second main issue and the other matters that provide positive support for

the proposal. The proposal would not comply with the development plan as a whole and no other material considerations outweigh that.

Conclusion

21. For the reasons given above and having considered all matters raised, the appeal is dismissed.

J Downs

INSPECTOR