



Appeal Decision

Site visit made on 13 September 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2022

Appeal Ref: APP/E2530/W/22/3298132

Willowbrook, Greatford Road, Uffington PE9 4SS

- 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 Mr & Mrs M Webster against the decision of South Kesteven District Council.
 - The application Ref S21/2283, dated 15 November 2021, was refused by notice dated 11 January 2022.
 - The development proposed is the erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site is suitably located for new housing, having regard to the rural location and development plan.

Reasons

3. The appeal site comprises the side garden to the host dwelling. It is proposed to erect a detached bungalow including a detached garage that would front Greatford Road and would be sited between the host dwelling and the neighbouring dwelling, known as Manderley.
4. Policy SP3 of the South Kesteven District Council Local Plan 2011-2036, adopted 2020 (LP) refers to infill development and states that such development will be supported provided that it complies with criteria (a) – (d). Criterion (b) requires the appeal site to be located within the “main built-up part of the settlement”.
5. The LP does not define the settlement limits of the village. However, it is clear from my observations that the main built-up part of Uffington is located to the south of the appeal site and is concentrated along and to the north of the A1175, around the village hall, St Michael and All Angels Church, the village green and Uffington CE Primary School. The buildings have a fine urban grain, with the built-up part of the village being easily discernible from the surrounding open fields.
6. The host dwelling is one of eight dwellings that form a small cluster around the junction of Greatford Road and Essendine. The cluster of dwellings is surrounded by open fields and is physically and visually separate from the main built-up part of the settlement. Given the above, I find that the appeal site does not form part of the main built-up part of Uffington.

7. The appeal site is therefore located within the open countryside for planning policy purposes. Policy SP5 of the LP restricts development in the open countryside to that which has an essential need to be located outside the existing built form of a settlement and lists those developments that are supported. The proposed development of one open-market dwelling does not comply with any of the exceptions listed.
8. The appeal site is remote from the village of Uffington. Access between the two would be difficult on foot given the lack of pavement and street lighting for a significant length of Greatford Road. It would also not be a pleasant experience for walking or cycling given the speed of vehicles travelling along the road which has a 60mph speed limit. Furthermore, no bus stops are located close to the appeal site, with the closest being located within Uffington. Uffington has some services, such as a church, a pub and a school, however, residents are reliant on the larger settlement of Stamford to the west of Uffington for such things as supermarkets, shops and a secondary school. The occupiers of the proposed development would therefore be reliant upon the private car for much of their day-to-day needs.
9. The provision of one new dwelling would provide some support for the vitality of the rural community however, this would be limited due to the location of the site outside the main built-up part of the nearest village (Uffington) and the access constraints of the site.
10. The appellants suggest that the occupiers in the cluster of eight houses fronting Greatford Road and Essendine consider themselves to be residents of Uffington. This may be true, but the cluster of dwellings does not comprise the main built-up part of Uffington, as required by Policy SP3 of the LP.
11. Although the National Planning Policy Framework (NPPF) is supportive of development on previously developed land, and acknowledges that housing development on small sites, such as this, can make a contribution to meeting the housing requirement of the area, no substantive evidence has been provided to indicate that the Council's housing strategy is not being addressed by the development strategy set out in the LP.
12. There would be some modest benefits from the proposal with respect to providing one additional house, contributing to the Council's housing land supply, supporting shops and services within nearby towns and villages, providing employment during construction, and providing financial gains to the Council and Central Government from the payment of Council Tax, Stamp Duty, Corporation Tax and the New Homes Bonus. Such benefits would be achieved regardless of where the dwelling was located, and this limits the weight that I can give to these matters.
13. The appellants state that they intend to reside in the proposed bungalow and therefore it would meet the needs of local people and allow them to remain in the area in which they currently live. The appellants also state that there would be a benefit in them relocating into the proposed bungalow, as they could sell the host dwelling and attract a new family to the locality. However, the proposed bungalow would be an open-market dwelling with no mechanism in place to control who would occupy it. Likewise for the host dwelling. Furthermore, I have not been provided with evidence to demonstrate that there are no other properties in the area for the appellants to rent or purchase,

or that the host dwelling is unsuitable for their needs. I therefore attach limited weight to these matters.

14. There has been no objection from third parties (save for civil matters that fall outside the scope of the planning regime). I note the appellants' intentions to use modern materials in the construction of the proposed bungalow, for it to be environmentally compliant to reduce carbon emissions, and to conform with Building Regulations with the objective of reducing CO2 output. The Council do not raise an objection to the design, siting or appearance of the proposed bungalow, its effect on the living conditions of the occupiers of neighbouring properties, or its effect on highway safety. I also note that the land is within the ownership of the appellants. However, these are neutral factors.
15. The appellants consider that the proposed bungalow would comply with various sections and paragraphs of the NPPF. Whilst this may be true of some (which are neutral factors), I am required to consider the NPPF when read as a whole.
16. In relation to the main issue, I conclude that the appeal site is not suitably located for new housing development because of the conflict with Policies SP3 and SP5 of the LP, that seek to direct new housing development to the main built-up part of settlements and restrict development in the open countryside to protect its character. In addition, it would be contrary to Section 5 of the NPPF that seeks, amongst other things, to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities.

Conclusion

17. The other matters raised are insufficient to outweigh my conclusions on the main issue and that the development plan as a whole would not be complied with. For the reasons given above, I conclude that the appeal is dismissed.

A Berry

INSPECTOR