



Appeal Decision

Site visit made on 7 December 2022

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2022

Appeal Ref: APP/Y2003/W/22/3302070

Orchard Lodge, Thornton Road, Goxhill, North Lincolnshire DN19 7LW

- 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 Kevin Seddon against the decision of North Lincolnshire Council.
 - The application Ref PA/2022/810, dated 26 April 2022, was refused by notice dated 22 June 2022.
 - The development proposed is "to build a five bedroom dormer bungalow".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all matters reserved. Access, layout, appearance, landscaping and scale would be the subject of future applications for approval of reserved matters.

Main Issue

3. The main issue is whether or not the site is a suitable location for the development proposed.

Reasons

4. Policy RD2 of the North Lincolnshire Local Plan, adopted May 2003 (the Local Plan) seeks to strictly control development in the open countryside, granting it only in limited specific circumstances. Policy CS2 of the North Lincolnshire Local Development Framework Core Strategy, adopted June 2011 (the Core Strategy) sets out the sequential approach which will be taken to delivering more sustainable development in the area to meet development needs. In doing so, it notes that development outside development limits will be restricted and largely limited to that essential to the functioning of the countryside. This is reinforced by Policy CS3. Policy CS8, which deals with the spatial distribution of new housing sites restates the control on development in the open countryside outside development limits.
5. I note the annotated plan provided by the appellant, which highlights other development and planning applications nearby, purporting to show the appeal site as an infill plot. I also note that Policy CS8 of the Core Strategy restricts infill to sites within settlements and built-up areas. The site lies outside the defined settlement boundary and whilst there are other buildings near to the site, I do not consider that they are so numerous dense or cohesive that the area could properly be considered built-up.

6. The appellant acknowledges in their statement that the proposal would be contrary to these development plan policies owing to its location beyond the defined settlement limits. I agree with this assessment. As such, the appeal site is not a suitable location for the development proposed, having regard to the development plan policies around the location of new housing sites, development limits of development in the open countryside.

Planning balance

7. The Council acknowledges that it no longer has a sufficient supply of housing land, and as such, the test at paragraph 11dii of the National Planning Policy Framework (the Framework) applies.
8. The appellant argues that in spite of its location outside the defined settlement limits, the site is functionally part of Goxhill; name signs and speed-limit changes are close to the site, facilities and services are within walking or cycling distance, public transport options are available, and there would be no adverse impacts which would significantly and demonstrably outweigh the benefit of an additional dwelling in a sustainable location within an area of need, as well as the increased local expenditure and support for local services.
9. I acknowledge nearby built-form, but given its low density and mixed-use, do not consider the site to be within a built-up, or predominantly residential area, such that the proposal would be wholly consistent with its surroundings. I also have concerns about the specific location of the site relative to facilities and services within the settlement as well as the relationship of the site to the substantive part of the settlement.
10. I note the Council's concern over the distances from the site to the facilities and services within Goxhill, and having visited the site and settlement, share them. Despite limited streetlighting on the section of Thornton Road between the site and the junction with Barrow Road, I find that the lack of any footway until very close to that junction, and the rural character of Thornton Road close to the site would discourage residents from walking or cycling to the facilities and services in Goxhill.
11. As a result, whilst it is possible to access nearby facilities and services without the use of the private-car, given the specific nature of the site and its detailed relationship to those routes, I consider it would practically be neither attractive nor convenient to do so. I therefore consider that the proposal would be likely to be heavily dependent on the use of the private-car for day-to-day activities including accessing facilities and services with Goxhill. It would not therefore be a sustainable location in my opinion.
12. I do not consider that the proposal would therefore deliver housing in the right place, and on balance, this would not achieve a well-designed place, a healthy and safe community, promote sustainable transport nor represent sustainable development.
13. As such, I find that the adverse impacts of a new dwelling, in an area defined as open countryside, heavily reliant on the private-car would give rise to adverse impacts which would significantly and demonstrably outweigh the limited benefits outlined above.

14. In reaching this conclusion, whilst I note that the relevant policies for the supply of housing land are out of date as a result of the housing land supply position in the area, I find that their aim, to control the appropriate spatial distribution of new housing in the area, is consistent with the aims of the Framework to deliver a sufficient supply of homes in suitable locations. Taking all of the above together, I find that the proposal does not benefit from the presumption in favour of sustainable development set out in the Framework.

Conclusion

15. I have found that the proposal conflicts with the development plan. Whilst the provision of housing in the context of an area-wide shortfall does weigh in favour of the proposal, having regard to my conclusions above, I do not find that there are material considerations of such weight to indicate that a decision be taken other than in accordance with the development plan.
16. The appeal should therefore be refused.

S Dean

INSPECTOR