



Appeal Decision

Site visit made on 4 January 2024

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2024

Appeal Ref: APP/D2510/W/23/3325025

Inchmarlo, Main Road, Keal Cotes, Lincolnshire PE23 4AQ

- 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 Carr against the decision of East Lindsey District Council.
 - The application Ref S/204/00586/23, dated 20 March 2023, was refused by notice dated 1 June 2023.
 - The development proposed is erection of two holiday lodges.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers where necessary in this appeal.

Main Issue

3. The main issue is whether the proposed development would be in a suitable location for tourism development having regard to the spatial strategy.

Reasons

4. The proposed development is for two holiday lodges. Keal Cotes is defined as a small village in East Lindsey Local Plan Core Strategy adopted July 2018 (ELLP) Policy SP1. ELLP Policy SP15 confirms that development of the type proposed should be in close proximity to the higher order settlements in the hierarchy established by ELLP Policy SP1. This is consistent with paragraph 88 of the Framework which supports sustainable rural tourism as it defines how this is to be assessed in East Lindsey.
5. There is no substantive evidence of there being more facilities within Keal Cotes than at the time its position in the settlement hierarchy was established. Some of the services and facilities identified by the appellant amount to other tourism accommodation which would be unlikely to be of use to occupiers of the proposed lodges. The other services are limited. There is no substantive evidence before me as to the operation of public transport in Keal Cotes, nor of the likelihood of the surrounding footpath network providing a realistic

alternative for occupiers of the proposed lodges to access surrounding settlements or attractions, particularly into the evening. There is no footpath along Mill Lane connecting to Main Road. While this is a short distance, even if I were to conclude this were acceptable, it would not overcome the failure to comply with the strategy set out in the development plan.

6. It is not in dispute there are many tourist attractions in the surrounding area. However, the supporting text to ELLP Policy SP15 demonstrates that was the case at the time it was formulated. This would therefore not justify departing from that policy. The appellant's rationale for the proposed development – providing an inspiring space in a beautiful woodland setting and the related benefits to those visiting from spending time in nature – could readily be achieved at the site. It is not clear how or where the creative projects would be carried out or why it would be necessary for the proposed development to be carried out to allow the food production and biodiversity enhancements proposed. Furthermore, it is likely that a similar setting could be provided in other locations which would also be located in a spatially preferable location in proximity to higher tier settlements.
7. There would be economic benefits from the proposed development including spending by tourists. It is not in dispute that tourism has an important role in both the national economic and particularly the economy of East Lindsey. However, there is no substantive evidence before me of the likely spend that would arise from the proposed development, nor is there substantive evidence of any job creation that would arise from the proposed development. Given it is for two modest holiday lodges, I attach limited weight to this benefit.
8. The appellant has submitted documents of support from surrounding occupiers. I have had regard to these comments however they do not provide compelling evidence to demonstrate that the appeal proposal should be allowed. Consequently, they do not lead me to a different overall conclusion that the appeal should be dismissed.
9. There would not be conflict with other aspects of ELLP Policy SP15. Similarly, no conflict with any other policies of the development plan, such as ELLP Policy SP10 has been identified. No concerns have been raised by the Council with respect to the scale of the development, the appearance of the proposed lodges or their effect on the character of the area. There is no reason to think there would be an adverse effect on the living conditions of occupiers of the adjacent property. Additional landscaping could be provided. The site is in Flood Zone 1. There are no objections from statutory consultees including the local highways authority. However these factors amount to a lack of harm and would therefore be neutral.
10. The proposed development would not be in a suitable location for tourism development having regard to the spatial strategy. It would therefore be contrary to ELLP Policy SP15 which seeks to direct new tourism development of this type to sites in close proximity to towns, large or medium villages.

Conclusion

11. The appeal proposal would conflict with the development plan when read as a whole. There are no material considerations of sufficient weight, including the policies of the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore for the reasons given, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

J Downs

INSPECTOR