



Appeal Decision

Site visit made on 14 March 2024

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2024

Appeal Ref: APP/D2510/W/23/3327217

Marmion Arms, Main Road, Haltham, Lincolnshire LN9 6JQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Caroline Russell against the decision of East Lindsey District Council.
 - The application Ref is S/074/00667/23.
 - The development proposed is new dwelling on a disused car park to a former Public House with agreed means of access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was determined, a revised National Planning Policy Framework (Framework) was published in December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework and new paragraph numbers in reaching my decision.

Main Issue

3. The main issue is whether the proposal is in an appropriate location having regard to local and national policy.

Reasons

4. Policies SP1, SP3 and SP4 of the East Lindsey Local Plan Core Strategy 2018 (the Core Strategy) outline the spatial strategy for the district which seeks to direct development to the most accessible locations as well as protect areas of countryside. The small settlement of Haltham, where the appeal site is located, is not included within the sustainable pattern of places outlined in Policy SP1 and therefore is classed as being within the countryside for the purposes of the development plan to where development is not directed within Policies SP3 or SP4.
5. Both parties agree that the development does not comply with any of the criteria necessary to make this an acceptable rural exceptions site under Policy SP8 of the Core Strategy. The appellant suggests this policy is out of date. Nevertheless, it deals with affordable housing and rural workers dwellings which the proposal does not seek to provide, and the policy has not therefore been determinative.

6. The settlement strategy within the development plan is in accordance with paragraph 8 of the Framework's aims to achieve sustainable development. To support sustainable development in rural areas, paragraph 83 of the Framework states that housing should be located where it will enhance or maintain the vitality of rural communities.
7. Haltham is a small hamlet which I saw predominantly consists of housing. I saw a garage which the appellant says sells some essential goods however, this is very small scale and certainly not sufficient to serve the day to day needs of residents. I am aware that supermarkets would deliver to occupiers, but it is not just shops that are needed but schools, health facilities, leisure and employment opportunities. While the Church may act as a local meeting place, more extensive and daily facilities would be found further afield at Coningsby and Horncastle.
8. The appellant submitted a bus timetable with his statement of case giving details of an hourly bus service to Coningsby, where there is a larger range of services, from Haltham which seems to be an on demand service. From later comments, this has been extended until 1900 and on a Saturday which would be an improvement. There is a less regular service to Woodhall Spa. It would be too far to conveniently walk to Coningsby and in any case, there is no footway or cycle path. A walk over fields would lead to a public house/restaurant in Kirkby on Bain. While the bus service is helpful, it does not operate late into the evening or on a Sunday and, I believe most people would use their cars to access facilities and services contrary to the Framework's aim to move to a low carbon economy. I appreciate alternatives to the car vary between rural and urban areas. However, there is no evidence before me to suggest that the vitality of these rural areas is declining such that a further house would be required in a relatively inaccessible location to maintain or enhance the communities.
9. For the reasons above, I conclude that the proposal would not be in an appropriate location having regard to local and national policy. It would therefore conflict with Policies SP1, SP3 and SP4 of the Core Strategy.

Other Matters

10. The appellant draws my attention to an appeal for four houses in the open countryside which was allowed. However, the Inspector found that the appeal site was an accessible location and therefore is different to that before me now.
11. The appellant also refers to a planning application for two dwellings on the car park of a public house at Baumber, they consider similar to the proposal before me now. However, the Council confirms that the original planning permission for this development was made prior to the adoption of the current development plan and therefore a different policy background. Furthermore, Baumber was identified, at that time, as a small village for policy purposes and not open countryside where the current proposal is located.

Planning Balance and Conclusion

12. The proposal would provide one new dwelling which would contribute to the Framework's aim of significantly boosting the supply of land, even though the Council states it can demonstrate a five year supply of housing which is not

- disputed by the appellant. It would lead to short term jobs during construction and the prospective occupants would contribute to the local economy.
13. The appellant states that the intention is to sell the plot and use the money to repair and renovate the former Marmion Arms, their current residence. The Marmion Arms forms a two storey half-timbered building with a thatched roof to the front and pantile roof to the rear offshoot. From the evidence supplied, and my observations on site, it is in a poor state of repair but forms a key part of the streetscape that would positively contribute to it if appropriate repairs were made. Any scheme which allows for its repair would be a positive benefit of the proposal. However, there is a considerable absence of detail of figures and specification relating to the repair as well as any mechanism such as a legal agreement to link the sale of the land with the renovation of the Marmion Arms. I can therefore only give it minor weight in my consideration.
 14. The existing site is open and was previously used as a car park. While no longer in that use, it is in not in such an untidy state that would justify its redevelopment for housing and therefore I give this matter minor weight.
 15. The parties agree that the appeal site is brownfield land. Paragraph 124c) of the Framework states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes.
 16. The proposal would be contrary to the Council's spatial strategy policies. The appellant states these are not relevant. However, as they outline the spatial distribution of development, including housing, within the district then they apply to the appeal scheme. The appellant considers that Policy SP10 of the Core Strategy, regarding design, to be the most important policy. I agree it is an important policy, however the spatial strategy policies are just as important for the purposes of paragraph 11d of the Framework. Even if I were to include Policy SP8 and conclude it was out of date, the basket of policies as a whole for the determination of the application are not out of date. Therefore, paragraph 11dii is not engaged and the proposal is contrary to the development plan as a whole. Together the material considerations attract considerable weight but are not sufficient to outweigh that conflict.
 17. In light of the above, and having considered all other matters, the appeal is dismissed.

Zoe Raygen

INSPECTOR