

Appeal Decision

Site visit made on 1 August 2024

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2024

Appeal Ref: APP/D2510/W/24/3336230

Land adjacent Raithby Water Treatment Works, Horncastle Road, Louth, Lincolnshire LN11 9QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Joe Ramsden against the decision of East Lindsey District Council.
 - The application Ref is N/105/01419/23.
 - The development proposed is change of use, conversion of and alterations to existing stables into 1 no. dwelling.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Joe Ramsden against East Lindsey District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the appeal site is a suitable location for housing having regard to development plan policy.

Reasons

4. The appeal site consists of a stable block accessed from Horncastle Road. The site is part of a wider plot of land which includes a pond and landscaping. The Council's Officer report refers to planning permission for a stable block being approved in 2022, and I observed that the building was substantially complete but did not appear to have been brought into use.
5. The Council sets out that the site lies within an area of countryside and is not considered to be within or immediately adjacent to the developed footprint of Louth. This reflects the conclusions of a previous Appeal Decision¹ for the wider site which dismissed a proposal for 2 dwellings. These considerations are relevant, as in respect of towns such as Louth, Policy SP3(4) of the Core Strategy² supports housing growth on windfall sites in appropriate locations

¹ Appeal Ref: APP/D2510/W/22/3291656

² East Lindsey Local Plan: Core Strategy 2018

within the settlement and outside of, but immediately adjacent to, the developed footprint.

6. There is some built development in the vicinity of the appeal site, including the water treatment works and a terrace of dwellings. However, this development and the appeal site are distinctly separate from the built extent of Louth. Based on what I have seen and read, the appeal site cannot reasonably be classed as being within or immediately adjacent to the footprint of the settlement. The proposal would therefore be contrary to Policy SP3 in respect of appropriate locations for housing growth.
7. The appellant contends that Policy SP3 refers to the development of new build dwellings, and therefore does not apply to the appeal proposal which is for a change of use. However, Policy SP3 refers to 'housing growth', and there is nothing within the phrasing of the policy that leads me to the conclusion that it solely relates to new build development. Changes of use to convert existing buildings contribute to housing growth, and it is therefore clear that the appeal proposal falls within the remit of Policy SP3.
8. References to site allocations in Policy SP3 and its supporting text may emphasise new build development, and they may not specifically address the matter of conversions. But this does not lead me to a different conclusion that the conversion of buildings for residential use contributes to housing growth and that the appeal proposal should therefore be assessed against Policy SP3(4).
9. Although Policy SP4 specifically refers to the conversion of buildings, this policy relates to housing in medium and small villages and does not apply to the circumstances of the appeal site. There are also further limiting criteria in Policy SP4, such as the marketing of the site for non-residential uses. The wording of Policy SP4 does not mean that Policy SP3 is silent on the matter of conversions.
10. The appellant refers to the benefits arising from the conversion of buildings, such as the reuse of building fabric and that in respect of character and appearance the built form is already in situ. However, if I was to accept the appellant's argument in respect of conversions, applied consistently this would be a perverse incentive for proposals to come forward for appropriate non-residential buildings in the countryside, which are subsequently proposed for conversion to residential use as a means of circumventing the Council's housing strategy.
11. I am mindful of the benefits of the proposal. It would contribute to the supply and mix of housing, and residents would support the local economy through increased spending and provision of employees, although the contribution from a single dwelling would be very limited. The economic contribution during the construction phase would similarly be very limited and for a short period of time.
12. The appellant contends that residents will have good access to the town centre and other services. However, given the nature of the pedestrian route, the distances involved, and the limited range of services nearby, I consider that residents would still be reliant on the private vehicle to access most services and employment. This is a matter which carries significant weight

against the proposal, and which supports the Council's development plan policies regarding the sustainable location of housing. My attention has been drawn to allocated and windfall housing sites further from the town centre, but it has not been demonstrated that the circumstances of those sites are the same as the appeal site, for example in relation to access to public transport.

13. For the reasons given above, I conclude that the proposal should be assessed against Policy SP3 of the Core Strategy. The appeal site is not within, or immediately adjacent to the developed footprint of the settlement. On that basis the proposed development would not comply with the tests set out within Policy SP3 which amongst other things seeks to achieve a sustainable pattern of development.

Other Matters

14. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. A direction of travel has been outlined within the Written Ministerial Statement (WMS) 'Building the homes we need', which is a material consideration. However, the adverse impact of the unsustainable location of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in both the extant and draft revised Framework taken as a whole. The WMS and the proposed reforms to the Framework do not therefore negate my conclusions on this appeal.

Conclusion

15. The proposal would conflict with the development plan and there are no other considerations, including the WMS and proposed revisions to the Framework, that outweigh this conflict.
16. For the reasons given the appeal should be dismissed.

David Cross

INSPECTOR