



Appeal Decision

Site visit made on 29 August 2017

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2017

Appeal Ref: APP/N2535/W/17/3175023

Land at Stainton Lane, Stainton by Langworth, Lincoln LN3 5BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Adrian Munt against West Lindsey District Council.
 - The application Ref 134930, is dated 6 October 2016.
 - The development proposed is outline planning application to erect 1no. dwelling, all matters reserved.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the site address and description of development given on the decision notice in the heading above.
3. The evidence before me indicates that this is an outline application with all matters reserved.
4. The appeal results from the Council's failure to determine the planning application within the statutory period. A decision was issued by the Council after the expiry of the determination period. This recommended refusal on the grounds that the development would be located in an area with limited accessibility to local services and in addition, would not meet the special circumstances required for residential development in open countryside. On the basis of the evidence before me I see no reason to disagree with those concerns which have formed my main issue.
5. The Central Lincolnshire Local Plan (CLLP) was adopted in April 2017. Accordingly, I give CLLP Policy LP55 cited in the decision notice, full weight.

Main Issue

6. The main issue is whether the development would be in a sustainable location in the context of relevant local and national policies.

Reasons

7. The appeal site is greenfield land located just outside the hamlet of Stainton and about 1.5 miles from the small village of Langworth. Langworth is some six miles from Lincoln and although I noted a public house, I did not notice any other facilities at my visit. The development would be one dwelling.

8. Saved LP Policies STRAT3 and STRAT12 of the Local Plan¹ (LP) taken together impose restrictions on development in the open countryside, and seek to encourage development of previously developed land. These policies are consistent with the core planning principles of Paragraph 17 of the National Planning Policy Framework (the Framework) and as such I give them full weight. CLLP Policy LP55 states that new dwellings in the countryside will only be acceptable where they are essential to the effective operation of rural operations.
9. It is not disputed that the proposed dwelling would be remote from local services, but the appellant argues that the Council has approved developments nearby in the last five years, and has drawn particular examples to my attention. I appreciate that developments on Stainton Lane and within Stainton itself are not significantly closer to Langworth than the appeal site. However, I have no further details of the planning context within which the examples were approved. As such, I am unable to conclude whether other arguments were advanced to weigh against their location, and whether they are directly comparable to the appeal before me. Furthermore, no argument has been advanced to suggest that this development is essential to the rural economy.
10. Although I appreciate that there is a limited bus service on weekdays, I am not satisfied that this would be sufficient to reduce or remove dependence on the private vehicle.
11. The appellant argues that the adjacent burial ground requires journeys to the site. However, the burial ground is a specialist destination rather than a dwelling, requires a rural location and does not require local residential amenities. Although I appreciate that this generates journeys to the site, I give this argument limited weight.
12. In the light of the above, I conclude that the development would be remote from local services, and future occupiers would be dependent on the private car in the absence of alternative means of transport.
13. Accordingly the development would not be in a sustainable location, contrary to LP Policies STRAT3 and STRAT12, and CLLP Policy LP 55, all as outlined above. It would also be contrary to Paragraph 55 of the Framework which states that local planning authorities should avoid isolated homes in the countryside unless there are special circumstances. No special circumstances have been identified.

Conclusion

14. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and that therefore the appeal should be dismissed.

Amanda Blicq

INSPECTOR

¹ West Lindsey Local Plan, First Review 2006