



Appeal Decision

Site visit made on 7 November 2017

by **Daniel Hartley BA Hons MTP MBA MRTPI**

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

Decision date: 14 November 2017

Appeal Ref: APP/N2535/W/17/3182317

Land to the east of Kettleby Wood House, Bigby High Road, Kettleby, Brigg DN20 9HH

- 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 Chris Marsh against the decision of West Lindsey District Council.
 - The application Ref 136090, dated 7 April 2017, was refused by notice dated 19 July 2017.
 - The development proposed is the erection of two detached dwellings with detached garages.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline with all detailed matters reserved. An indicative site layout plan has been submitted which shows the erection of two detached dwellings each with a garage. I have taken this plan into account only in so far as determining whether in land use principle terms it would be possible to develop the site for such purposes.
3. I have taken the site address from the Council's decision notice rather than from the planning application form as this is more precise.

Main Issues

4. The main issues are (i) whether or not the site would be at risk of flooding; (ii) whether or not the proposal would constitute an acceptable form of development in the countryside and (iii) whether or not the proposal would deliver a sustainable form of development.

Reasons

5. The appeal site comprises part of a field and is positioned alongside the A1084 which leads to the settlements of Brigg and Bigby. Along the eastern boundary of the site is a railway track, to the west is Kettleby Wood House and to the north is Woodlands Farm. Land opposite the site and on the other side of the A1084 is open agricultural land. There is an access track leading directly from the A1084 to Woodlands Farm: the indicative site layout plan shows that an access into the site could be taken from this existing access track.

Flood Risk

6. The Council originally considered that the appeal site fell within flood risk zones 2/3. However, I have viewed the flood risk map produced by the Environment Agency and the site does in fact fall within flood risk zone 1. The Council now agree with this and have withdrawn their flood risk reason for refusal.
7. I am not aware that there are any critical drainage issues in the area. As the site is designated as being in flood risk zone 1, there is a low possibility of flooding. I therefore conclude that neither a flood risk assessment nor a sequential assessment is necessary in respect of this proposal. Consequently, I do not find any conflict with the flood risk aims of Policy LP14 of the Central Lincolnshire Local Plan 2017 (LP) or the National Planning Policy Framework (the Framework).

Development in the Countryside

8. The appeal site falls within open countryside. Policy LP55 of the LP states that *"applications for new dwellings will only be acceptable where they are essential to the effective operation of rural operations listed in policy LP2"*. I have considered Policy LP2 of the LP and do not consider that the appeal site falls within a village or a hamlet. Consequently, development in this part of the countryside is *"restricted to that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services; renewable energy generation; proposals falling under policy LP55; and to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents"*.
9. The proposal has not been submitted on the basis that it would represent one of the development types as listed above. I conclude that the proposal would not accord with the sustainability and countryside aims of Policies LP55 and LP2 of the LP.

Sustainability

10. Paragraph 7 of the Framework states that there are three dimensions to sustainable development: economic, social and environmental and that these dimensions give rise to the need for planning to perform economic, social and environmental roles.
11. I do not doubt that the occupiers of two dwellings would support local facilities and services in Brigg and Bigby. However, this would be a relatively limited contribution from the occupiers of only two dwellings. There would be some employment at construction stage, but this would be a short lived economic benefit.
12. The proposal would deliver two additional private market dwellings in the area. However, this would be a limited housing land supply contribution. Furthermore, the LP has only recently been adopted. At this point the Council could demonstrate a deliverable five year supply of housing sites. I have no evidence before me to indicate that the housing land supply position has changed. Consequently, and based on the evidence before me, I do not consider that there is a pressing housing land supply need to release this site for housing.

13. The appeal site would be located in an area of countryside where there are a very limited number of residential properties. Those that do exist in the immediate area are arranged very sporadically and are set well back from the main road. The area is characterised as being essentially open and rural in character which is in direct contrast to the more built up settlement of Brigg. The erection of two dwellings in this location would detract from the aforementioned character and appearance of the area and would be isolated from the more built up settlements of Brigg and Bigby. I acknowledge that there are some evergreen hedgerows around the site, but given the very close proximity of the site to the A1084 (which is at a higher level) I consider that the dwellings would appear dominant and intrusive in this rural environment. I do not consider that the planting of additional hedgerows would suitably mitigate the adverse visual impacts arising out of the erection of two dwellings and two garages on the site. This is an environmental matter which significantly weighs against the proposal.
14. In addition to the above, I note that the site is relatively close to the settlements of Brigg and Bigby. However, large parts of the A1084 are not flood lit and there is an absence of pavements. Furthermore, my site visit revealed that there were no bus stops in close proximity to the site. Consequently, I consider that occupiers of the proposed dwellings would be very reliant on the private motor vehicle for most journeys. This is a further environmental factor which weighs against the proposal.
15. In conclusion, whilst there would be some social and economic benefits associated with the proposal these would be relatively limited. The aforementioned environmental harm would be significant and the proposal would not accord with the overall sustainability aims of the LP including Policies LP55, LP1 and LP2. I have not been provided with any compelling reason to justify why such policies should be set aside. Whilst I have found that the proposal would not conflict with Policy LP14 of the LP or the Framework in terms of the risk of flooding, this is matter which has neutral weight in the overall planning balance. On balance, I find that the proposal would not deliver a sustainable form of development.

Conclusion

16. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR