
Appeal Decision

Site visit made on 12 September 2016

by Michael Boniface MSc MRTPI

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

Decision date: 27 September 2016

Appeal Ref: APP/R2520/W/16/3152833

Springfield House, Mere Road, Branston, Lincoln, LN4 2JD

- 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 Andrew Payne against the decision of North Kesteven District Council.
 - The application Ref 15/1061/FUL, dated 25 August 2015, was refused by notice dated 12 January 2016.
 - The development proposed is erection of a new single storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development initially included a detached double garage but the appellant confirms that this part of the proposal was removed from the scheme during the course of the planning application; this is evident in the amended drawings submitted with the appeal. I have considered the appeal on this basis and have omitted reference to the garage from the description of development contained in the heading above.
3. The appellant suggests that relevant policies for the supply of housing contained within the North Kesteven Local Plan (2007) (LP) are out of date as they do not provide for sufficient housing delivery to meet current identified needs. This is acknowledged by the Council with specific reference to Policy H1 dealing with allocated housing sites and it is agreed that the presumption in favour of sustainable development contained within the National Planning Policy Framework (the Framework) should apply. For decision taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or specific policies indicate that development should be restricted. I have considered the appeal on this basis.

Main Issue

4. The main issue is the effect on the character and appearance of the area, including the setting of the Branston Conservation Area.

Reasons

5. The site is a grassed area on the corner of Mere Road and Thackers Lane which is bounded by hedgerows and tree planting. It is currently associated with

Springfield House on the opposite side of Thackers Lane to the main body of development forming the village of Branston. It is agreed between the parties that the site is outside of the settlement boundary defined by the LP and is, therefore, located in open countryside. The Branston Conservation Area stands adjacent to the site, encompassing a small part of its North West corner.

6. Thackers Lane is a narrow country road without footpaths presenting a distinctly rural character and appearance. As set out above, the main body of the village is located to the north but notably less development exists to the south, notwithstanding the presence of Springfield Cottage and its associated buildings. Thackers Lane provides a clear physical boundary to the edge of the settlement at present and the more isolated buildings to the south of the road occupy a much more rural setting, creating a visual transition between the village and the wider countryside surrounding. The open undeveloped nature of the site, albeit forming part of a residential curtilage, further contributes to this visual transition.
7. This view is consistent with that of an appeal decision¹ on the site in 2014 which also noted the contribution made to the setting of the conservation area, allowing views from Mere Road into the conservation area and maintaining the characteristic open rural space around the village edge. I concur with this view and have no reason to conclude that the sites contribution to the character and appearance of the area, including the conservation area, has diminished since this time.
8. Although the hedgerows surrounding the site are no longer maintained at a low level and the appellant has indicated an intention to allow further growth, they remain consistent with the rural character of the area and open views above them remains possible. Additional growth, along with reinforcement from new landscaping would no doubt assist in screening any building on the site but it is unlikely to be screened entirely, particularly given the need to punctuate the hedgerow to provide vehicular access and the necessary visibility splays. The scale of the proposed development has been significantly reduced to single storey since the previous appeal and the building seeks to respect its rural context more, involving a scale and form similar to agricultural barns.
9. Whilst the visual impact of the appeal proposal would no doubt be less, I do not agree that the development would improve the interface between the settlement and open landscape in accordance with the ambitions of the Landscape Character Assessment (2007). The presence of the proposed building on this site would represent an encroachment into countryside, eroding the strongly defined village edge and diminishing the sites rural character. This would harm the character and appearance of the area and the setting of the Branston Conservation Area. Whilst this harm would be less than substantial in the terms of paragraph 134 of the Framework, there are no identified public benefits arising from the scheme that would outweigh this harm.
10. I note that planning permission has recently been granted for 198 houses on the opposite side of Mere Road but this represents a comprehensive scheme providing a range of benefits. Furthermore, the site is further removed from the conservation area and enclosed by a substantial tree belt to the south. I do not find the scheme comparable and do not agree that this change to the

¹ APP/R2520/A/13/2209751

settlement edge, if implemented, would justify the proposed development or alter the harm that I have identified.

11. Whilst I attach only limited weight to those policies of the LP that restrict the supply of housing the proposal is in conflict with Policies C2, C18 and HE7 of the LP which only allow for development in the countryside where its character would be preserved or enhanced, seek to reinforce local identity and preserve or enhance the setting of conservation areas.
12. I have considered the benefits that would arise from the development including the contribution of a dwelling to the Council's housing supply, economic benefits from construction works and expenditure from new occupants, and the provision of a bungalow that would meet the needs of the appellant or others that need such accommodation. However, the contribution of a single dwelling would be limited, even if I accept the appellant's position that the Council cannot demonstrate a deliverable five year supply of housing. In this case, these benefits are significantly and demonstrably outweighed by the harm that I have identified in respect of the main issue.
13. In light of the above, and having considered all other matters, the appeal is dismissed.

Michael Boniface

INSPECTOR