
Appeal Decision

Site visit made on 20 September 2016

by **S J Lee BA(Hons) MA MRTPI**

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

Decision date: 12th October 2016

Appeal Ref: APP/D2510/W/16/3152926

**Land to the East of South View, Eastfield Lane, Grimoldby, Lincolnshire
LN11 8TD**

- 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 Karl Verity against the decision of East Lindsey District Council.
 - The application Ref N/067/02130/15, dated 3 November 2015, was refused by notice dated 14 March 2016.
 - The development proposed is the erection of 1 no dwelling and detached garage and garden store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the development would represent sustainable development in light of local and national policies on new housing in the countryside.

Reasons

Character and appearance

3. Saved policy A3 of the East Lindsey Local Plan Alterations (1999)(ELLP) identifies Grimoldby, along with nearby Manby, as a 'Main Village'. The plan states that main villages provide a limited but valuable range of services for surrounding smaller settlements. The appeal site forms part of an open field outside the defined settlement boundary of the village. An uninterrupted hedgerow and narrow grass verge separates the site from the road, which is a single track country lane with no footway on either side. There are a number of mature trees at the south east corner of the site. The hedge is relatively high, but views of the field beyond can still be seen. The field rises gently beyond the rear edge of the site to a broken line of trees on the brow of the slope. Opposite the site is a high hedgerow which limits views of the open countryside to the south.
 4. The site is adjacent to a sewage pumping station, beyond which is a row of detached dwellings stretching out on one side of the road toward the junction of Eastfield Lane and Tinkle Street, which forms the boundary of the defined village. There is one significant gap in the housing along the frontage which I
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understand has an unimplemented planning permission for a dwelling. To the other side of the appeal site, leading away from the village is a large detached dwelling and associated outbuildings known as 'The Gatehouse'. This is separated from the appeal site by a wide field and mature landscaping.

5. Eastfield Lane has an overwhelmingly rural character. The housing is to one side of the road only, low density and set back from the lane. The high hedgerow opposite the dwellings cannot disguise the fact that there is a wide expanse of open countryside beyond and the verdant nature of the street scene, particularly near to the site, establishes a strong rural character which is clearly distinct from the core of the village. The tightly defined carriageway in the vicinity of the site further reinforces the countryside character. The site also does not appear against a backdrop of the built form of the village when looking across the site. Therefore, while the site is not physically distant from the edge of the defined village boundary, these factors all contribute to the site being somewhat visually disconnected and unrelated to the 'core' of the settlement. The site therefore provides an attractive open setting to this edge of the village which helps to reinforce its rural character.
6. While there may be the potential for an unbroken line of dwellings between the site and the defined boundary of the village, the bungalow of South View and the pumping station mark a clear and definitive end to the ribbon of built development extending out of the village. This clearly marks a change in the character between the built form of the village and a more open countryside setting. The Gatehouse is both visually and physically separated from the appeal site and other dwellings in the area as a result of the distance and dense screening, which significantly reduces its visibility from the appeal site. Moreover, the bend in the road just beyond the appeal site ensures that The Gatehouse is not particularly visible at this point on the lane, other than restricted views through the trees. While the boundary of the appeal site abuts the curtilage of South View, there would be some degree of separation between this dwelling and the development. Therefore, I do not consider that the development would constitute residential infill or the logical rounding off of the village. Rather, it would constitute further encroachment into the open countryside that would have a detrimental urbanising effect on the site.
7. I accept that the site is well screened and long distance views would be limited. The majority of the hedgerow and the mature trees around the site would remain in place and this would help to retain some of the existing rural character. Nevertheless, the development would still be seen in closer views and, owing to its scale, would be a prominent feature on this part of the lane. As well as the new buildings, the creation of the access, the laying out of the driveway and the presence of all the domestic paraphernalia associated with the development would significantly diminish the contrast between the settlement and the countryside to the detriment of the rural character and setting of the village.
8. I acknowledge that there would be nothing inherently objectionable about the particular design of the house or outbuilding. However, this does not alter my view that the development would result in a materially harmful encroachment into the countryside to the detriment of the intrinsic character of the site and that of the wider area. Accordingly, there would be conflict with policies A4 and A5 of the ELLP which, amongst other things, seek to resist development which detracts from the distinctive character of an area.

National policy on new homes in the countryside

9. The Council have accepted that they cannot demonstrate a five year supply of deliverable housing sites. Therefore, policies relating to the supply of housing are considered to be out-of-date. In these circumstances, Paragraph 14 of the National Planning Policy Framework (the Framework) states that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
10. Paragraph 7 of the Framework identifies the three dimensions to sustainable development as economic, social and environmental. Paragraph 55 also provides specific guidance to address the issue of new housing in the countryside. This states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to state that isolated homes in the countryside should be avoided unless there are special circumstances. There is no suggestion that these circumstances apply to this development.
11. There is no definition of 'isolated' within the Framework and there is some dispute between the main parties as to whether the appeal site should be considered as such. I understand that Grimoldby contains a reasonable level of service provision, including a pre-school, primary school, shop, post office, healthcare facility, food and drink use, a place of worship and a village hall. The Council's officer report confirms that the village contains a number of key services. However, the Council have argued that these are some distance away and the site is in a remote location which would mean future occupants would be reliant on a car, contrary to the objectives of the Framework.
12. Neither party has provided detailed information about the relationship between the site and the services within the village, or the relationship with other settlements or public transport accessibility. The site is within a reasonable walking distance of the main road running through the village. However, the pedestrian route is along a narrow, unpaved country lane which is unlikely to encourage walking into the main part of the village. As such, it would be reasonable to assume that future occupants would be somewhat reliant on private vehicles for the majority of their day to day needs. The Framework encourages development to be located where it can make the fullest possible use of public transport, walking and cycling. There would, therefore, be some conflict with the environmental objectives of the Framework. However, paragraph 29 recognises that opportunities to maximise sustainable transport in rural areas will vary from those in urban locations. The situation here would not be unusual in a rural location such as this and the actual increase in car use, and the associated harm, is unlikely to be significant. Moreover, as the village would be able to cater for many basic day to day needs, any routine car journeys need only be short.
13. As such, while the social benefits associated with this would be limited, development would not be 'isolated' in the context of paragraph 55 of the Framework. The requirement for special circumstances would not, therefore, apply.
14. From a social perspective, the dwelling would make a small contribution to the housing land supply, which is an important factor in terms of the stated deficiency in supply and the Framework's objective of boosting housing

delivery. The development would also be capable of supporting the local economy and would provide short term benefits in terms of construction jobs. These matters weigh in favour of the development.

15. However, while the development would not constitute an isolated development in the countryside, I have concluded that there would be material harm to the character and appearance of the area in conflict with the environmental role of sustainability. This would significantly and demonstrably outweigh the limited benefits associated with one additional dwelling. In light of this, the proposal does not constitute sustainable development in the countryside and thus the 'presumption in favour' set out in Paragraph 14 of the Framework does not apply.

Other matters

16. The appellant has drawn my attention to a planning permission further along Eastfield Lane. I observed this site during my visit, and while I noted there were some similarities in terms of its location outside the defined settlement boundary, I also saw significant differences to the appeal site in terms of its relationship with other dwellings on the lane and the resulting character of the site and potential effect of development. While I have considered the appeal on its own merits, I am satisfied that the circumstances between these two sites are sufficiently different to conclude there has been no precedent set in terms of impact on the character and appearance of the area.
17. The appellant has also highlighted examples of appeals which he considers lend support for the development. I do not have all of the details associated with these cases and so cannot comment on their comparability with this case. In any event, I have considered the appeal entirely on its own merits and found that the development would conflict with local and national policy to an unacceptable degree.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR