
Appeal Decision

Site visit made on 24 January 2017

by A Jordan BA Hons MRTPI

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

Decision date: 6 February 2017

Appeal Ref: APP/R2520/D/16/3163237

**Brookfield House, Spalford Road, North Scarle, Lincoln, Lincolnshire,
LN6 9HE**

- 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 Andy and Mrs Vicky McMunn against the decision of North Kesteven District Council.
 - The application Ref 16/0606/HOUS, dated 19 May 2016, was refused by notice dated 14 September 2016.
 - The development proposed is removal of existing access and creation of a new access and drive, including associated drainage work and landscaping and reconstruction of existing gate in new position.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue for the appeal is the effect of the proposal on the character and appearance of the surrounding countryside.

Reasons

3. The appeal site is a residential dwelling which sits in open countryside. The property is accessed by a short drive and sits close to the gated entrance from the main road. It sits in a large lawned garden which is edged by semi-mature and mature trees. Beyond this lies an area of open field with rough grass. The appeal relates to the introduction of a driveway across the garden and the adjoining field, to reach Spalford Road around 40 metres from the current entrance.
 4. The application has not been advanced on the basis of a change of use and the Council have not commented on the use of the land, describing it as paddock. I noted on site that although some of the land had been subject to tree planting it lay outside the main garden area to the house. It had an open and uncultivated appearance and was distinct from the more formal gardens which lay closer to the house. The proposed drive would be residential in appearance due to its gravel surfacing and swept route to the garages on site. In this regard the repositioning of the access and the entrance gates would have a domesticating visual effect on land which currently has the appearance of open field. The works would be visible through the existing planting on Spalford Road where would have a harmful erosive effect on the character of the countryside in this location.
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5. I take into account that the existing gate and entrance would be reused and that the surfacing of the new access could be carried out in sympathetic materials. I also take into account that the proposal offers the opportunity for enhanced planting on site. Nevertheless, these factors would not outweigh the harm that would arise from the urbanising effect of the development.
6. The appellant considers that the proposal would bring benefits by way of improving the layout of the site and making the access safer. However, I have no convincing evidence that the current arrangement is unsafe or that the existing site layout is inappropriate and this limits the weight I attribute to these matters. I also note the appellant's comments in relation to another residential drive which has been approved nearby. I am not aware of the factors which led to this approval, which in any case would not outweigh the harm which I have identified in this case.
7. I therefore conclude that the proposal would conflict with policy C2 of the *North Kesteven Local Plan* which seeks development which protects and enhances the character of the countryside, and with guidance in the Framework, which has similar aims. The Council have also referred to policy LP26 of the emerging *Central Lincolnshire Local Plan* 2016. However, as I cannot be sure it will be adopted in its current form, this diminishes the weight I attribute to it.
8. Therefore, for the reasons above, and having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR