
Appeal Decision

Site visit made on 14 February 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 24 February 2017

Appeal Ref: APP/D2510/W/16/3164345

Land off Eastfield Lane, Grimoldby, Louth, Lincolnshire LN11 8TD

- 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 Mrs C M Baxter against the decision of East Lindsey District Council.
 - The application Ref N/067/01519/16, dated 18 July 2016, was refused by notice dated 24 October 2016.
 - The development proposed is outline application for 3 No. dwellings with all matters reserved.
-

Decision

1. I allow the appeal and grant outline planning permission for 3 No. dwellings with all matters reserved at Land off Eastfield Lane, Grimoldby, Louth, Lincolnshire LN11 8TD in accordance with the terms of the application, Ref N/067/01519/16, dated 18 July 2016, subject to conditions 1) to 8) on the attached schedule.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the Eastfield Lane area of Grimoldby.
 - The effect on these considerations of the housing land supply situation.

Reasons

Character and Appearance

3. Policy A3 of the East Lindsey Local Plan Alteration 1999 details the settlement hierarchy, with land allocated in the towns and main villages. The site is outside the Main Village of Grimoldby and is therefore within open countryside in policy terms. Policy A5 provides for development which by its design improves the quality of the environment to be permitted provided it does not conflict with other Policies of the Plan. Otherwise, development will be permitted only where a) its design, including its layout, density, scale, appearance or choice of materials, does not detract from the distinctive character of the locality; b) it retains or incorporates features or characteristics which are important to the quality of the local environment including important medium and long distance views; and c) it is integrated within a landscaping
-

scheme appropriate to its setting. Policy H12 sets out more detailed design requirements specific to new housing.

4. Paragraph 17 of the National Planning Policy Framework states core planning principles which include high quality design and recognising the intrinsic character and beauty of the countryside. Paragraph 56 states the great importance attached to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
5. The Council refer to paragraph 55 of the Framework and to avoiding isolated new houses in the countryside other than in certain exceptions. The Framework does not define 'isolated' but the other description used by the Council of the development nearby as being 'sporadic' is the more accurate so far as the appeal site location is concerned. This is because there is a significant line of development along the north side of the lane and the gap opposite the appeal site has permission now to be visually infilled by the development of a single new house. The south side would remain largely undeveloped and the appeal site is separated from the last dwelling on this side, nearer the main road, by the access to a water utility site and open land. However, the single depth of development along the north side provides a setting of domestic land.
6. As with any development on what is at present an open agricultural field, there would not only be change, but some visual detriment through built form being placed there. The level of that detrimental effect would however be limited by the nature of the development along the north side of the lane. This is an outline application and whilst it is the principle of development that is to be considered, the indicative proposal to build three dwellings which would replicate the plot depth and development grain nearby, shows that the finished development would not appear out of place, and would not appear isolated, such as single house might. The resulting development, taken together with the existing dwellings and that still to be built to the north side, would appear as an attractive cluster. There is no reason to consider that the detail design could not satisfy the requirements of Policy H12, with the roadside hedge preserved where appropriate.
7. Policy A5 requires development not to detract from the distinctive character of the locality. Any development would have some effect as just stated, but the retention of the hedge would satisfy section b) on features or characteristics which are important to the quality of the local environment, and the landscaping detailed design could ensure integration. With regard to views, those through the site are already terminated at the point of built form along Mill Lane, so that the views are less sweeping than is the case looking north. There would remain open land to the rear so that the plot depth and likely spacing of the dwellings would not isolate the lane from the rural area.
8. In conclusion, the visual effect would be limited, but slightly adverse immediately, softening over time as landscaping becomes established. The development would not appear out of place when seen with the existing development in this part of the Lane. The detailed design sought as reserved matters would be capable of addressing the existing grain and style of development, to comply with local and national policies on good design.

Housing Land Supply

9. As a result of the forgoing, some visual harm has been identified, reducing to negligible over time. The site is outside the settlement boundary, but that settlement is a Main Village. The site should not be considered isolated but is in reasonable proximity to the village, albeit along an unlit country lane. The settlement boundary was defined prior to 1995 and previous Council decisions and planning appeals have permitted residential development beyond that boundary.
10. Sustainable development is more than just accessibility to services, but the site scores reasonably well in that regard. In relation to the three dimensions of sustainable development in paragraph 7 of the Framework, the development would further the economic role of supporting the viability of the village and its services, as also sought in paragraph 55 before the reference to isolated dwellings. Such considerations would also further the social role in supporting strong, vibrant and healthy communities and providing a supply of housing in a district where there is presently no five-year supply. With regard to the environmental role, the site is not so distant from facilities as to preclude walking and the effect on the character and appearance of the area can be mitigated through good design and landscaping at detailed design stage.
11. The settlement Policy A3 of the Local Plan should be regarded as being out-of-date so far as paragraph 14 of the Framework is concerned, and the site is not located in any of the specific areas referred to in footnote 9. The limited and to a significant degree temporary, adverse effects when measured against the benefits of aiding the supply of housing in a sustainable location would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole. As a result permission should be granted for this development.

Conditions

12. The application was in outline with all matters reserved, and it is reasonable to seek the further details requested by the Council at reserved matters stage. Further conditions are required, as suggested, on archaeological potential, more precise details of the landscaping requirement and the protection of the hedge. There is no need to name the drawings since the provision for greater flexibility of planning permissions does not apply when all matters are reserved.

Conclusions

13. The development would assist the supply of housing in a District where there is not a five-year supply as sought in the Framework. The limited visual harm would reduce over time and the proposal should be regarded as sustainable development. The limited harm would not significantly and demonstrably outweigh the benefits and hence the presumption in favour of sustainable development should prevail. For the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions

- 1) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission and the development must be begun not later than two years from the date of approval of the last of the reserved matters to be approved.
- 2) No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
 - i) The layout, scale and appearance of buildings, including a schedule of external materials to be used;
 - ii) The means of access to the site and each dwelling;
 - iii) The hard and soft landscaping of the site;
 - iv) The means of foul sewage and surface water disposal;
 - v) The existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

The development shall be carried out only as approved.

- 3) When the application is made for approval of the 'reserved matters' that application shall show details of the arrangements for the parking/turning/manoeuvring of vehicles within the site. These arrangements must be provided before the relevant dwelling is occupied and shall be kept permanently free for such use at all times thereafter.
- 4) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Local Planning Authority. This scheme should include the following:
 - i) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 - ii) A methodology and timetable of site investigation and recording.
 - iii) Provision for site analysis
 - iv) Provision for publication and dissemination of analysis and records.
 - v) Provision for archive deposition.
 - vi) Nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

- 5) The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in condition 4). The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.
- 6) A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken has been deposited

with the County Museum Service, or another public depository willing to receive it.

- 7) When application is made to the Local Planning Authority for approval of reserved matters, that application must be accompanied by a scheme of landscaping and tree planting indicating, among other things, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
- 8) The existing roadside hedge along the northern boundary of the site shall not be removed other than as is necessary to facilitate the provision of the means of access to the site and details of the sections to be removed, together with details of any proposed maintenance measures for the remaining sections, shall be agreed in writing by the Local Planning Authority before the commencement of the development hereby granted permission.