
Appeal Decision

Site visit made on 28 March 2017

by Helen Heward BSc (Hons) MRTPI

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

Decision date: 12th April 2017

Appeal Ref: APP/E2530/W/16/3159288

**Field Gate House, Fir Tree Lane, Sudbrook, Grantham Lincolnshire,
NG32 3RX**

- 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 Neil Gray against the decision of South Kesteven District Council.
 - The application Ref S16/0644, dated 5 March 2016, was refused by notice dated 22 Augst 2016.
 - The development proposed is described as "Retention of access track and erection of a single storey timber storage building".
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is partly retrospective in that the access track has been laid.

Main Issue

3. Whether or not the development is consistent with polices of the development plan for the protection of the countryside.

Reasons

4. Policy SP1 of the South Kesteven Council Core Strategy 2010 (CS) aims to restrict development in the open countryside. Agriculture, forestry and equine development are an exception to this. Policy EN1 of the Site Allocations and Policies DPD 2014 (DPD) requires that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement and restoration.
5. The site is mainly to the rear of the appellant's and one other dwelling and located in open countryside. It forms part of an area of a reclaimed waste management site which has been returned to grassland. The appellant purchased the land intending to keep horses on it but the Council state that there are no permissions for equine activities on this site. A number of purposes listed for the proposed building¹ could be associated with agricultural or equine uses but some could be purposes in association with other uses of land, such as residential use. In addition the design of the building includes

¹ in a letter dated 11 April 2016

domestic style glazed windows not typical of stable buildings. Similarly, the acceptability of the access track turns very much upon the development it is intended to serve.

6. The evidence does not demonstrate that the proposal is wholly for an agriculture, forestry or equine activity. Development that is not associated with such uses would be uncharacteristic and would erode the character and appearance of the countryside.
7. I conclude that the application is contrary to aims of CS Policy SP1 and DPD Policy EN1 which seek to restrict development in the open countryside to that appropriate to its character, and contrary to advice at paragraph 17 of the National Planning Policy Framework (Framework) that planning should always take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.

Other Matters

8. According to the South Kesteven Landscape Character Assessment, 2007, the site lies in the Southern Edge Landscape Character Area (LCA) which is described as relatively open with a pattern of fields and lanes. However the countryside on the edge of this village is characterised by a mixture of agricultural and equine uses. From the north the site is largely screened by built form. To the south an earth bund prevents views from the adjacent railway. Existing hedgerow vegetation largely prevent views from the west and undulating topography restricts the range of possible views from the east.
9. On my visit I observed that the surface of the track appeared to be of a loosely bound construction and was beginning to be colonised by grass at the edges. If it were grassed over this would mitigate the visual effects of its construction and alignment. The single storey building with a low pitch roof and timber cladding would be tucked in close to existing built form and would not noticeably extend further south than other buildings I could see west of Field Gate House. I am not persuaded that the track or building would be visually obtrusive in the landscape.
10. The track broadly wraps around two sides of Fir tree House which has windows to habitable rooms overlooking the site. It would be the use of the track and land rather than the track itself that would give rise to traffic and activity. In the light of my comments above I am not able to conclude on the effects of this upon the living conditions of the occupiers of this dwelling. However, as I am dismissing the appeal for other reasons this is not determinative.

Conclusions

11. The development could result in an encroachment of unacceptable uses in the countryside contrary to aims of CS Policy SP1 and DPD Policy EN1 and advice in the Framework which seeks to protect the intrinsic character of the countryside. Therefore and having had regard to all other matters raised, including those from third parties, the appeal is dismissed.

Helen Heward

PLANNING INSPECTOR