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## Appeal Decision

Site visit made on 4 July 2017

**by R Norman BA (Hons) MA MRTPI**

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

**Decision date: 11 August 2017**

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**Appeal Ref: APP/R2520/W/17/3172550**

**The Old Granary, Holly Lane, Temple Bruer, Lincoln LN5 0DF**

- 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 David Porter against the decision of North Kesteven District Council.
  - The application Ref 16/1037/FUL, dated 4 August 2016, was refused by notice dated 8 November 2016.
  - The development proposed is the conversion of the dwelling into two dwellings.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are whether or not the development would:
  - be appropriate in the countryside; and
  - have any effects on the living conditions of future occupiers.

### Preliminary Matters

3. I am aware that the Central Lincolnshire Local Plan (2017) has been adopted since the Council determined the application. As such, I have disregarded the superseded policies of the North Kesteven Local Plan (2007).
4. I have taken the site address from the Council's decision and the appeal form in the interests of clarity and accuracy.

### Reasons

#### *Effect on the Countryside*

5. The appeal site is located in a rural area and forms part of an existing barn conversion. It is set within a small cluster of dwellings and is located adjacent to a small airfield. The proposal would see the subdivision of the existing barn conversion to provide 1 additional dwelling. The development would involve minimal external alterations with no inappropriate new openings and would retain the character of the existing property.
6. The site is in a very remote location, at a considerable distance from any nearby facilities and services, and would be mainly accessed via private vehicles. Whilst I note that access to facilities might be achieved via a series of footpaths and byways it is likely that there would still be a reliance on private

vehicles in most events. Paragraph 55 of the National Planning Policy Framework requires rural housing to be located where it will enhance or maintain the vitality of rural communities, and isolated new dwellings should be avoided unless there are special circumstances, including being essential for a rural enterprise. Whilst I have sympathy with the Appellant's personal circumstances, there has been insufficient evidence provided to me to justify an additional dwelling in this remote location, such as aircraft crime statistics, or why measures such as security cameras and alarms or the presence of the existing dwellings are not sufficient. The contribution that one additional dwelling would make to the vitality of the rural community would be very limited. Furthermore, whilst I note the number of light airfields available in Lincolnshire and the role they play in the rural economy, this is not sufficient to outweigh the concerns in relation to the location of the site.

7. I have taken into consideration the circumstances of the Appellant who needs to reside in close proximity to the airfield for security purposes and has health issues. I note that the airfield provides hangars not only for the Appellant's light aircraft but also a number of others owned by other people. I noted during my visit that there were several aircraft present on the adjoining site. Whilst I acknowledge that an ongoing presence close to the hangar would be beneficial in deterring crime, the occupation of the existing dwelling and the adjacent ones could reasonably fulfil this function.
8. Given the above considerations the proposal fails to comply with Policies LP1, LP2, LP13 and LP55 of the Central Lincolnshire Local Plan (2017), which collectively require development in the open countryside to maintain the environmental, economic and social values, be essential to outdoor recreation services and protect and, where possible, enhance the area, and therefore the development plan as a whole. The proposal also conflicts with the aims of the National Planning Policy Framework.

#### *Effect on Living Conditions*

9. The subdivision of the existing dwelling would result in the amenity space for both properties being located to the front. This is as per the existing situation due to the presence of an existing shed to the rear of the dwelling. I noted the bedroom window in the first floor of the existing dwelling and, whilst there would be some degree of overlooking into the garden of the proposed dwelling, I do not consider this to be unduly harmful. There are a number of trees and hedges within the site and I consider that with their retention and careful landscaping the level of overlooking could be sufficiently mitigated against. The garden would provide adequate living conditions for future occupiers. As such the proposal complies with Policy LP26 of the Central Lincolnshire Local Plan and the aims of the National Planning Policy Framework which require new development to protect the living conditions of adjoining occupiers. However, this does not outweigh the concerns identified above.

#### **Other Matters**

10. I note the Appellant's comments that if the site were sold it may be for an equestrian use which might generate more traffic, however I am required to consider the appeal on its own merits regardless of other potential uses and no firm intention to implement such a proposal has been identified.

11. In relation to the amount of new housing required, this development would make a very limited contribution to meeting the housing need and as such this would not be sufficient to outweigh the concerns raised above.
12. With regards to the dwellings approved in 2006 I have limited details of this case and as such do not know the reasons these were permitted. I am required to consider each case on its merits and can give limited weight to the other dwellings approved in the area.

### **Conclusion**

13. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed

*R Norman*

INSPECTOR