



Appeal Decision

Site visit made on 8 August 2017

by Darren Hendley BA(Hons) MA MRTPI

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

Decision date: 22nd August 2017

Appeal Ref: APP/D2510/W/17/3175774

Plot adjacent to Shoe Lane, Goulceby, Louth LN11 9WA

- 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 Mrs Sarah Lamyman against the decision of East Lindsey District Council.
 - The application Ref N/060/02126/16, dated 19 October 2016, was refused by notice dated 8 December 2016.
 - The development proposed is the erection of a single 3 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, which includes the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) and the countryside setting of Goulceby.

Reasons

3. The appeal site comprises the corner of an expansive arable field which abuts Shoe Lane. The site lies on the edge of the village of Goulceby, next to The Three Horseshoes Public House's car park, which it is separated from by trees and vegetation. A further dwelling lies opposite the site, with an associated stable type building set behind a hedge.
4. Beyond the site, Shoe Lane becomes more of a green lane, providing access to fields and associated agricultural operations. The undulating landscape, which comprises of largely open fields with hedgerows, and areas of woodland, provides a setting for the village of appreciably high value. The site lies in the AONB and, under the East Lindsey District Council East Lindsey Local Plan Alteration (1999) (Local Plan), in countryside.
5. The site is located outside of the settlement limits of Goulceby under the Local Plan. It contributes significantly, as undeveloped land and as part of the field, to the rural character of the AONB and the countryside setting of the village. The proposal would substantially erode this role which the site has in maintaining the character of the AONB and the setting of the village, since it would result in its loss to the proposed dwelling and a large garden.
6. With the site's peripheral location to the village, the proposal would result in the encroachment of development into the AONB and this would also further

detract from the relationship of the village itself with the countryside. This would also not be in a manner that would appear as natural extension to the village, because the proposal would be separated from it by the car park and the associated trees and vegetation, or by Shoe Lane.

7. The substantial and enclosed side garden area would only further increase the visual intrusion of the development as it would be in sharp contrast to the character of the remainder of the field. As the landscaping would mature, this would only serve to emphasise the loss of character to one that would be domestic in nature.
8. The existing dwellings in the village are of varying design, although they are largely unified by their unobtrusive siting. In contrast, the proposal with its incursion into part of the open field on the edge of the village would be pronounced and therefore not reflective of the character of development in the village. The imposition of planning conditions concerning detailed design or the removal of permitted development rights would not overcome this harm, as it would still result in the loss of the site to a development that is not in character with its surroundings. The Lincolnshire Design Guide for Residential Areas (1996) does seek to ensure new housing reflects local character, although it does not overall alter my conclusions.
9. I did observe recent housing developments which have taken place and the appellant has also drawn my attention to a number of sites where planning permission has been granted for housing. These benefit from being sited in relatively discrete locations and whilst they are located on protected frontages under the Local Plan, in my view, they do not share the same harmful effects on the AONB and the countryside setting of the village as the proposal. Similarly, the development which has been approved to the public house is to its rear and is partly screened, which lessens the impact on character, compared to the proposal.
10. The Council considers it can now demonstrate a five year supply of housing land. The appellant though considers little weight can be given to this on the basis that it has not been tested independently and that it does depend on windfall sites, such as the proposal, coming forward. The provision of one additional dwelling is though unlikely to make a meaningful difference to housing land supply. It would also not be readily deliverable, as it is not a suitable development with the harm to character and appearance that would arise. I attach only limited weight to this contribution to housing land supply as a benefit.
11. As such, even if I did consider there is a shortfall against the five year supply, and that, following the approach in paragraph 49 of the National Planning Policy Framework (Framework), relevant policies in the Local Plan for the supply of housing should not be considered up to date, the adverse impacts caused to the character and appearance of the area would not outweigh the benefit to housing land supply.
12. There is a statutory duty under Section 85 of the Countryside and Rights of Way Act (2000) to conserve and enhance the natural beauty of AONB's. This is of considerable weight and importance. I conclude the proposal would fail this duty due to the harm caused to the AONB for the reasons I have set out.

13. I also conclude the proposal would not comply with 'Saved' Policies C11, A5 and H12 of the Local Plan which do not permit development which harms the distinctive character of the AONB, only permits development where the design does not detract from the distinctive character of the locality and where new housing reflects or enhances the locally distinctive character.
14. In respect of the roles of sustainable development under paragraph 7 of the Framework, the economic benefits arising from the construction and maintenance of the single dwelling would be slight, and the limited contribution to housing land supply would only constitute a small social benefit. The proposal would conflict with the environmental role because it would not protect and enhance the natural environment, with the harm to the character and appearance.
15. I am not persuaded the proposal would constitute an isolated home in the countryside for the purposes of paragraph 55 of the Framework, with its location on the edge of Goulceby, although this does not address the harm that would be caused to the character and appearance. It would, though, conflict with paragraph 58 of the Framework which states that decisions should aim to ensure that development should respond to local character.
16. In addition, the proposal would conflict with paragraph 115 of the Framework which states that great weight should be given to conserving landscape and scenic beauty in AONB's. As a result, under paragraph 14 of the Framework and the associated footnote 9, the presumption in favour of sustainable development does not apply because specific policies in the Framework indicate that development should be restricted. The harm would not outweigh the benefits and in my mind there is not the justification for making a decision that is not in accordance with the development plan.

Conclusion

17. For the reasons set out above, I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR