



Appeal Decision

Site visit made on 16 September 2019 by Darren Ellis MPlan

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2019

Appeal Ref: APP/D2510/W/19/3231339

Land adjacent to Cistercian Cottage, Stewton Lane, Louth, LN11 8SB

- 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 & Mrs Mick Lingard against the decision of East Lindsey District Council.
 - The application Ref N/105/00004/19, dated 2 January 2019, was refused by notice dated 28 February 2019.
 - The development proposed is the erection of a house and detached double garage, change of use of agricultural land to form a wild flower meadow, paddock and orchard.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - a) Whether the site is in an appropriate location for housing.
 - b) The effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises a paddock with vehicular access off Stewton Lane, situated in a countryside location approximately 515 metres outside of the settlement boundary of Louth. The site is situated between the dwellings of Cistercian Cottage and 52A Stewton Lane. The site is an irregular shape, being narrow at the entrance to the site and widening towards the rear of the site, and there is a public footpath adjacent to the western boundary.
 5. My attention has been drawn to planning permissions and developments allowed on appeal to the west of the site which are also outside the settlement boundary. A number of these decisions were made when the Council could not demonstrate a five-year housing land supply and when the local policies were considered to be out-of-date. In this situation, paragraph 11(d) of the National Planning Policy Framework (the Framework) requires planning permission to be granted unless it is significantly and demonstrably demonstrated that any
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adverse impacts would outweigh the benefits. The Council can now demonstrate a five-year housing land supply and a new Local Plan was adopted in July 2018, meaning that the previous circumstances no longer exist.

6. I also note that these previous decisions relate to plots to the west of the appeal site, and therefore closer to the settlement boundary of Louth. While these developments would invariably result in a change to the immediate context in which they are set, the appeal site is further to the east, where the development pattern becomes more fragmented, and confined to one side of the lane. As such the area becomes more open, and the impression is one of having left the built-up area and entering the countryside. Notwithstanding that the site lies between dwellings, it is an important and substantial open gap that makes a fundamental contribution to the prevailing rural character of its setting.
7. Strategic Policy 3 (SP3) of the East Lindsey Local Plan (2018) (LP) allows housing growth on windfall sites in appropriate locations outside of the settlement boundary but immediately adjacent to the developed footprint. As the distance from Louth increases, the properties along Stewton Lane are increasingly spread out with some substantial gaps in between some of the dwellings. The appeal site is one such gap, and consequently, the site and adjacent properties are clearly detached from the continuous built up area of Louth. The distinction from the built-up area is further emphasised by the narrow country lane and the fact that the site is outside of the 30 mile-per-hour speed limit zone, which starts to the west of the site. I do not consider therefore that the site can be described as being within or adjacent to the development footprint as defined in LP Policy SP3.
8. I accept that the site may have been previously developed, however it would appear to have had no buildings on it for some time and has now largely blended into the countryside character of the area. I also acknowledge that the appeal proposal amends a previously larger scheme but nonetheless it would consolidate existing development and significantly reduce the openness between these two properties. This resultant increase in the density of dwellings would cause significant harm to the semi-rural and open character of the lane and the immediate context in which the proposal would be seen.
9. Whilst paragraph 59 of the Framework refers to significantly boosting the supply of housing, the contribution that one additional unit would make would be negligible. There would be a small social benefit in providing an extra housing unit, and economic advantages would also arise from the construction and occupation of a new house. However, the harm to the character and appearance of the area identified would be significant and as a result the environmental role of sustainable development would not be achieved.
10. I understand that the public footpath adjacent to the western boundary of the site will be widened and the existing barbed-wire fence will be replaced with a copper beech hedge. Furthermore, a wildflower meadow and orchard would be created towards the rear of the site. However, the public and environmental benefits that would arise would not outweigh the harm to the character and appearance of the area that would be caused by the proposed dwelling.
11. I conclude that the proposal would not be in an appropriate location for housing and it would be harmful to the character and appearance of the area. It would therefore conflict with the development strategy set out in LP Policy SP3, and

LP Policy SP25, which seeks to protect the character and appearance of green and open spaces.

Conclusion and recommendation

12. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

P J Davies

INSPECTOR