
Appeal Decision

Site visit made on 28 January 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2020

Appeal Ref: APP/N2535/W/19/3240712

Brown Cow Inn, Lincoln Road, Nettleham, Lincoln LN2 2NE

- 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 Rob Wilkinson against the decision of West Lindsey District Council.
 - The application Ref 139176, dated 11 March 2019, was refused by notice dated 8 May 2019.
 - The development proposed is change of use of public house to 3no. one bed dwellings including demolition of various rear extensions, erect 5no. three bed dwellings, and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form contains a description of development which was subsequently revised by agreement between the Council and the appellant during the consideration of the planning application. Therefore, I have used the revised description of development in the banner heading above.
3. My attention has been drawn to a separate proposal on the appeal site which was refused by the Council and is the subject of a separate ongoing appeal¹. Whilst I note that the other proposal was refused for additional reasons to those set out in the decision notice which accompanies this appeal, I have not been provided with the specific details of the proposal, so I do not know the extent to which the two cases are comparable. I have framed the main issues in this appeal having regard to the areas of disagreement between the main parties and the evidence before me.

Main Issues

4. The main issues are:
 - The effect of the proposal on the function of the Green Wedge having regard to the character of the area.
 - Whether the proposal would provide sufficient off-street parking.

¹ Appeal reference - APP/N2535/W/20/3244288

Reasons

Green Wedge

5. The appeal site lies within a wider area designated as a Green Wedge in the Central Lincolnshire Local Plan 2017 (the Local Plan). It is occupied by the Brown Cow Inn along with an area of hardstanding and a play area associated with its now defunct use as a public house.
6. Policy LP22 of the Local Plan does not preclude residential development within Green Wedges provided that the functions and aims of the policy are not compromised. In this regard, there are four main functions and aims of Green Wedges set out in Policy LP22 which, in summary, aim: to prevent the merging of settlements, preserving their separate identity, local and historic character; to create a multi-functional green lung to link to the countryside; to provide a recreational resource maximising accessibility; and to conserve and enhance local wildlife and wildlife corridors. Where a proposal would conflict with any of these functions and aims, development may be supported if it is essential for it to be located in the Green Wedge, and the benefits of the development would override the impact on the Green Wedge. In all cases, development should have regard to retaining its open and undeveloped character.
7. On my site visit I could see that the village centre of Nettleham was made up of many historic buildings, whereas the buildings located further away from the village centre displayed more variety in terms of their age and style, reflective of the organic growth of the village. The appeal site is located towards the western edge of the village some distance from its centre, and the public house within it is prominent in its setting due to its overall form and proximity to Lincoln Road. It lies at the end of a run of street facing properties which vary in their architectural style and form, although several of them have a traditional appearance. The detached, low density pattern of housing on the street and the verdant surroundings of the area gives the street a semi-rural character, reinforcing the distinctiveness of Nettleham village.
8. The proposal would involve alterations to the public house in order to convert it into three separate dwellings. I do not find the conversion of the public house to dwellings objectionable in itself. The conversion would result in sympathetic alterations to the building so that its traditional and understated form could be readily appreciated, and given its existing nature, this element of the proposal would not materially diminish the openness of area or otherwise conflict with the function of the Green Wedge.
9. However, the rear section of the site, where five dwellings are proposed, would result in additional built form which would adopt a notably different design approach. The roof of the building would have a steeper pitch than the public house and both the front and rear roof slopes would be occupied by dormers. Even though the layout and form of dwellings in the area is not uniform, and despite the set-back of the proposed terraced dwellings from the road which would also be partially screened by the converted public house, the overall scale and mass of the terraced building would be prominent in the street. Whilst the Council have not referred explicitly in their objections to the appearance of the proposed new build dwellings, to my mind the homogenous form and 'townhouse' design of them would appear out of kilter with the more

rustic and spacious form and pattern of housing prevalent in the street. Like the Council, I find that the development would be detrimental to the character of the area.

10. Moreover, the lack of visual relief between the site boundary and the proposed new build dwellings would substantially increase their prominence, emphasising the loss of openness which would result. The demolition of the extensions to the rear of the public house would not compensate for the diminishing effect the terraced dwellings would have on the openness of this part of the Green Wedge.
11. I understand that there are other houses near the appeal site against which the proposal would be seen. I saw on my site visit that several of these are particularly large and visible from within the Green Wedge. Be that as it may, the new build dwellings collectively would be larger than the converted public house and would occupy a prominent position within the appeal site, overlooking a wide expanse of open land, which would result in an uncharacteristic and obtrusive form of encroachment into the Green Wedge, contributing to the merging of settlements and reducing its openness, in conflict with a number of the functions and aims set out in Policy LP22 of the Local Plan.
12. I appreciate that the proposal would involve development on brownfield land, close to existing built form. It would also make a modest contribution towards the delivery of housing within Central Lincolnshire. However, even if I was to accept the appellant's contention that the proposed housing would fall within the developed footprint of the village, it remains the case that it would lie within a Green Wedge designation. In this regard, there is nothing in the evidence before me to suggest that there is an essential need for housing to be located within the Green Wedge, and the aforementioned benefits would not outweigh the diminishing effect the proposal would have on the important characteristics that define it.
13. Therefore, for the foregoing reasons, the development would have a harmful effect on the function of the Green Wedge, having regard to the character of the area. The proposal would be contrary to Policy LP22 of the Local Plan which requires, amongst other matters, that any development within the Green Wedge would not be detrimental to the character, role and function of it, ensuring that new developments retain its open and undeveloped character.
14. The Nettleham Neighbourhood Plan 2014-2031 (the Neighbourhood Plan) also forms part of the development plan. The Council did not refer to it in their first reason for refusal. However, the proposal also appears to conflict with Policy E-1 of the Neighbourhood Plan which requires that new developments do not restrict the visual/physical gap between Lincoln and Nettleham. Notwithstanding this, I nevertheless find that the proposal would conflict with the Local Plan for the reasons given.

Off street parking

15. Policy D-3 of the Neighbourhood Plan requires that a housing development on the scale proposed provides 21 car parking spaces. According to the submitted plans, 12 car parking spaces would be located within an area perpendicular to the proposed dwellings. However, since a decision was made on the planning application, the appellant has confirmed that additional land under their control, adjacent to the appeal site and comprising an existing parking area associated with the public house, would also be made available for car parking. Subject to the imposition of a Grampian style planning condition, the Council raises no objections to the parking proposed.
16. Having seen the existing car park on my site visit and noting its close and functional relationship with the dwellings proposed, I am satisfied that a planning condition could be imposed² in order to ensure that sufficient off-street parking spaces would be provided in accordance with the requirements set out in Policy D-3 of the Neighbourhood Plan.
17. Consequently, I am satisfied that the development would provide sufficient off-street parking. There would be no conflict with Policy D-3 of the Neighbourhood Plan which requires that a minimum number of car parking spaces are provided depending on the size of the residential development.

Other Matters

18. I note that the Council has confirmed that the public house has been vacant for some time, and other alternative public houses are operating within the village, thus the proposal would not result in the unnecessary loss of a valued community facility. I have no reason to take a different view.
19. The appellant does not consider that the Council dealt with his planning application in a co-operative manner. However, this is a matter between the main parties that has no bearing on the planning merits of the case.

Conclusion

20. Whilst I find no harm arising from the off-street parking proposed, the development would conflict with the functions and aims of the Green Wedge thus would be in conflict with the development plan. Accordingly, for the reasons given, I conclude that this appeal is dismissed.

Matthew Woodward

INSPECTOR

² Having regard to the '6 tests' set out in paragraph 55 of the National Planning Policy Framework.