



Appeal Decision

Site visit made on 25 February 2020 by Andreea Spataru BA (Hons) MA

Decision by Richard Clegg BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2020

Appeal Ref: APP/D2510/W/19/3242345

Land to the South of Ford Way, Goulceby, Louth, Lincolnshire LN11 9WD

- 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 D Haxby against the decision of East Lindsey District Council.
 - The application Ref N/008/01253/19, dated 10 July 2019, was refused by notice dated 10 September 2019.
 - The development proposed is the erection of 2no. dwellings and detached double garages.
-

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 Issue

3. The main issue is whether the proposal would represent infill development and the effect of the development on the character of the area, having particular regard to the location of the site in the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB).

Reasons for the Recommendation

4. The appeal site is located on the southern side of Ford Way, at a slightly higher level than the road, and comprises part of an open field within the AONB. The site is separated from the residential properties to the west by a public footpath and by neighbouring dwellings to the north by Ford Way. There are trees and hedges to the north and west which provide a visual break between the built form of the settlement and the open fields. There is also a dwelling to the east, on Goulceby Lane, which is separated from the appeal site by the northern part of a large open field. The open fields in the area along with the hedges and trees provide a distinctively verdant landscape character which the appeal site makes a positive contribution towards.
 5. The proposal seeks to construct two detached dwellings with associated detached garages. Each dwelling would have a separate access from Ford Way, which implies two gaps in the existing hedgerow to the front. Both dwellings would be set-back from the road and would sit within spacious plots.
-

6. Policy SP4 of the East Lindsey Local Plan Core Strategy (CS) states that frontage development of no more than 2 dwellings will be supported in an appropriate location within the developed footprint of the settlement as infill. This policy defines 'developed footprint' as the continuous built form of the settlement and excludes individual buildings or groups of dispersed buildings which are detached from the continuous built up area of the settlement. The second criterion of policy SP4 requires development to conform to Clause 2 of policy SP25 of the CS, which states that development will only be permitted on open spaces provided unacceptable harm will not be caused to, amongst other things, their character. Policy SP23 of the CS states that the highest level of protection will be given to the AONB.
7. Whilst there are properties to the north and west of the appeal site, there is a clear separation between the built form and the open field. Moreover, given the extent of the open field, the dwelling located to the east, 'Brown Lea', is detached from the continuous built up area of the settlement. Thus, the appeal site cannot be regarded as infill development. Notwithstanding the distance between the eastern side boundary of the appeal site and the curtilage of 'Brown Lea', given that this individual building is detached from the properties located on the southern side of Ford Way, the proposal would still fail to accord with the definition of infill development as set out above.
8. The location of the appeal site along with its undeveloped appearance gives it a tranquil and unspoilt rural character. These are key characteristics associated with the AONB which would be radically diminished by a residential development of two dwellings with associated garages. Moreover, the site's connection to surrounding fields and countryside as part of the AONB means it has value in terms of its contribution to the overall landscape and scenic beauty of the area which would be eroded as a result of the development. Thus, in the local context the proposal would significantly alter the open character of this part of the AONB by the prominent introduction of residential development into the rural landscape. In reaching this view I have taken into account the characteristics of the Hainton to Toyton All Saints Wolds Farmland as set out in the East Lindsey Landscape Character Assessment.
9. I acknowledge the design of the dwellings and I do not consider this per se to be objectionable. However, some of the vegetation would be removed from the site and the development would be readily visible from the public domain in local views, particularly from Ford Way. Notwithstanding the proposed landscaping, the proposal would appear unsympathetic to the aforementioned local landscape character. Thus, the development would have an adverse visual impact upon the street scene and would cause unacceptable harm to the character of the area.
10. With regard to the location of the site within the AONB, paragraph 172 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. It goes on to state that the scale and extent of development within these designated areas should be limited.
11. I have had regard to the fact that the development would allow an important view to be retained from Goulceby Lane/Ford Way towards the open fields. Nonetheless, for the reasons outlined above the proposal would fail to conserve or enhance the distinctively verdant landscape which forms the character and

context of the local area within this part of the AONB. Therefore, the proposal would have an adverse impact upon the landscape and scenic beauty of the AONB contrary to the aims of the Framework.

12. Accordingly, the proposal, which would not represent infill development, would cause unacceptable harm to the landscape character and scenic beauty of the AONB. Consequently, it would conflict with Policies SP4, SP23 and SP25 of the CS and the Framework which, amongst other things, seek to ensure developments respect and complement the character of the surrounding area and conserve or enhance the protected landscape character and the scenic beauty of the AONB.

Other matters

13. My attention has been drawn to the recent development at the corner of Ford Way and Goulceby Lane, which is opposite 'Brown Lea'. Whilst I note that this development projects further to the east on the opposite side of the road, it does not change the context of the appeal site. Moreover, I have not been provided with the full details of this corner development nor with those of the other approved developments outlined within the appeal statement. I have therefore afforded them only limited weight. In any event, I have determined this appeal on its own individual merits and circumstances.
14. I acknowledge the social and economic benefits of the development, which would support local services and provide short term economic gain during the construction period. I also note that consideration has been given to the environmental objective through the proposed landscaping. Nonetheless, I consider that these benefits are limited, and, in any event, they do not outweigh the harm that I have identified.

Recommendation

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

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

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

Richard Clegg

INSPECTOR