



Appeal Decision

Site visit made on 28 July 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 20th August 2020

Appeal Ref: APP/N2535/W/20/3251778

Land at Old Gallamore Lane, Middle Rasen, Lincolnshire LN8 3US

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ryan Watson, Eastman Bespoke against the decision of West Lindsey District Council.
 - The application Ref: 140658 dated 25 February 2020 was refused by notice dated 21 April 2020.
 - The development proposed is the erection of 2no. residential dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline, with all detailed matters reserved for later consideration. An indicative scheme to illustrate how the site might accommodate the proposed dwellings is presented. I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - a) whether the proposal would be acceptable with reference to the spatial strategy of the area, with particular regard to the policy for Large Villages, and
 - b) the effect of the proposed development on the character and appearance of the area, having regard to the functions and aims of the Green Wedge.

Reasons

Spatial strategy

4. In Spatial Strategy and Settlement Hierarchy Policy LP2 of the Central Lincolnshire Local Plan (2017) (LP), Market Rasen is categorised as a Market Town and Middle Rasen is a Large Village.
5. The site is apparently part of a former horticultural nursery. It is a grassed area, located beyond the easternmost extent of the residential development which stretches out of Middle Rasen along Old Gallamore Lane. Fields adjoin both sides of Old Gallamore Lane on the approach to the site from the north-

east. Taking the above together, I consider that the site is located in the countryside, outside the developed footprint of the village of Middle Rasen.

6. In respect of Large Villages, including Middle Rasen, Policy LP2 of the LP seeks to focus most growth within their existing developed footprints. Part 4) of Policy LP2 allows for the possibility of growth - of typically no more than the smaller of 25 dwellings or 1 hectare - outside the settlement's developed footprint only in exceptional circumstances.
7. Two previous outline proposals for the current appeal site and land adjoining it were refused planning permission and dismissed on appeal. These were a proposal for up to 53 dwellings (the 2016 appeal scheme)¹ and a scheme for up to 47 dwellings (the 2017 appeal scheme)². In the 2016 and 2017 appeal decisions, the previous Inspectors found a lack of significant harm to the character and appearance of the area, including the settlement break, arising from substantially larger housing development proposals on the site and surrounding land than in the current case. The appellant considers that these previous Inspectors' findings amount to an exceptional reason to justify the current appeal proposal.
8. However, the proposed two houses would not deliver public benefit of the scale of a new community facility to meet an identified need, which is cited as an example of exceptionality in Policy LP2 of the LP. Moreover, while the scale of proposed development is not of such concern as it was in the 2016 and 2017 appeals, the previous dismissal decisions did not conclude that lack of harm to character and appearance constituted exceptional circumstances to satisfy Policy LP2. In the light of the above, I find that exceptional circumstances have not been demonstrated for the proposal to satisfy Policy LP2 of the LP.
9. Policy LP55 of the LP seeks to restrict new dwellings in the countryside to those which are demonstrably essential to rural operations. These operations are listed in Policy LP2 of the LP as agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The absence of the requirements of Policy LP55 as an issue in the 2017 appeal does not negate the policy's status as a current development plan policy, or the fact that it is cited within the Council's reason for refusal in the current case. As such, Policy LP55 of the LP is relevant to consideration of the proposal.
10. Part D of Policy LP55 requires appropriately detailed evidence of the rural operation that would be supported by the dwellings, and the proportionate need for the housing. Such evidence is not presented, and so the proposal is not demonstrably essential to effective rural operations, and would not accord with Part D of Policy LP55 of the LP.
11. Given the apparent reliance on 'windfall' sites coming forward in Middle Rasen over the plan period, to contribute towards meeting the overall housing requirement³, the unallocated status of the site does not in itself preclude its potential development.
12. Nevertheless, for the reasons described above, the proposal would not meet the exceptions and essential rural operations tests which Policies LP2 and LP55 of the LP together require. As such, the proposal would undermine the rigour of

¹ Appeal Ref: APP/N2535/W/15/3139041.

² Appeal Ref: APP/N2535/W/16/3162281.

³ As acknowledged in the 2017 appeal decision.

this combination of development plan policies, with consequent risk to the wider control of development in the countryside in the district. It would also undermine the objective of focussing growth within the existing developed footprint of Large Villages, unless exceptional circumstances apply. Therefore, the proposal would not accord with the spatial strategy of the area.

Character and appearance, including Green Wedge

13. The site is within a Green Wedge (GW) area, as defined by Policy LP22 of the LP. While supporting text paragraph 5.7.4 for Policy LP22 describes the purpose of GWs as 'to protect the open and undeveloped character of areas within them', the policy more specifically requires compliance with its 'functions and policy aims'. Policy LP22 seeks to avoid all but essential and compellingly beneficial development within GWs, unless it is demonstrably not detrimental to the following functions and policy aims: preservation of the separate identity and character of settlements through preventing the latter merging; and provision of multi-functional green recreational links and wildlife corridors.
14. Policy LP26 of the LP requires development to contribute positively to local character. Among the policy's design principles are c) respect the existing landscape character and identity and e) avoidance of ribbon development.
15. Old Gallamore Lane has a relatively 'quiet backwater' feel, given the no through road arrangement at its south-western end, and its partly rural setting. From within the site, old polytunnels, glimpses of individual dwellings in the middle distance, hedgelines and longer distance views of low hills to the east beyond the immediate flat terrain are noticeable. Together, these elements contribute to a mixed landscape character to the site and the area around it.
16. Judging by the indicative scheme, the proposal is likely to have a minor urbanising effect at a local scale. The westernmost two-storey gable end of the pair of houses, would be visible on the approach to the site access, travelling in an easterly direction along Old Gallamore Lane. The driveway and westernmost dwelling would also be visible, looking into the site access. The proposal would have limited visibility from upper windows of Mulberry House and a few dwellings in the distance.
17. Nevertheless, substantial established perimeter hedging exists along the site's western and front boundaries. The front boundary includes a large hedgerow ash tree, which makes a valuable visual contribution and could potentially help to screen the development. Together, the achievable set-back of the dwellings from the lane, flat terrain, intervening vegetation and scope for naturalistic buffer planting would substantially visually contain and soften the proposal.
18. Given the modest scale of proposed development and substantial separation, by fields, from Market Rasen, the proposal would constitute a proportionately minor extension of the built-up edge of Middle Rasen. The proposal would not fundamentally change the semi-rural 'backwater' feel of Old Gallamore Lane, or significantly reduce the countryside separation gap between Middle Rasen and Market Rasen.
19. As such, the proposal would not fundamentally alter the GW or undermine its core functions. Given the visual containment factors described above, the proposal would not significantly change the area's existing landscape character and identity.

20. Taking the above together, I conclude that the proposed development would not harm the character and identity of Middle Rasen or the Green Wedge. As such, it would broadly not conflict with the thrust of Policies LP22 and LP26 of the LP.
21. The absence of harm to character and appearance is a neutral factor which does not weigh in favour of the proposed development.

Other Matters

22. My attention is drawn to housing development located along Gainsborough Road. However, the other development pre-dates the current development plan, which limits the weight the former carries. Moreover, full details of the other development are not before me, and the appeal site has its own setting and circumstances. As such, I assess the proposal on its own merits.
23. The proposal would potentially provide two smaller family homes. The proposed two dwellings would contribute to local housing supply, with associated socio-economic benefit to the area during and after construction. However, the public benefit is limited by the scale of the proposed development, and would not outweigh the identified harm and the conflict with the development plan.

Conclusion

24. For the reasons given above I conclude that the appeal should be dismissed.

William Cooper

INSPECTOR