



Appeal Decision

Site Visit made on 11 February 2021

by Graham Wright BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2021

Appeal Ref: APP/R2520/W/20/3263258

Owl Barn, Martin Moor, Metheringham, LN4 3BQ

- 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 P Armstrong against the decision of North Kesteven District Council.
 - The application Ref 19/1744/FUL, dated 16 December 2019, was refused by notice dated 28 August 2020.
 - The development proposed is the erection of a timber framed, timber clad house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the proposal would be an acceptable form of development with particular regard to the provisions of local policies in respect of the location of development.

Reasons

Character and appearance

3. The appeal site is in a rural location and it is positioned to the rear of a small cluster of existing dwellings. Whilst there are what appear to be the remnants of former military or agricultural buildings in nearby fields, at present the unbuilt form of the appeal site is consistent with the generally open and rural form of the countryside beyond the built form of the existing dwellings. The existing dwellings closest to the appeal site are arranged uniformly, which creates a clear separation between the built form and the open feel of the countryside.
4. As the proposed dwelling would be sited to the rear of the existing dwellings, it would represent a visual and physical encroachment into the countryside. Furthermore, the location in which it would sit would not be consistent with the general arrangement and positioning of the existing dwellings adjacent to it. These factors mean that the proposal would cause significant harm to the character and appearance of the area.
5. Therefore, the proposal would fail to accord with Policies LP17 and LP26 of the Central Lincolnshire Local Plan 2017 (LP) where they seek to safeguard the character and appearance of areas. There would also be a conflict with the National Planning Policy Framework (The Framework), where it refers to achieving well-designed places.

Location

6. Policy LP2 of the LP allows for development in the countryside only when it meets one of the criteria set out in the policy. The Council considers that as there are less than 15 units in the vicinity of the appeal site, that it falls within tier 8 of Policy LP2, which relates to the countryside.
7. The appellant refers to potential employment which they may be able to undertake in the area. However, the employment specified does not fall within any of the categories stated within Policies LP2 or LP55 of the LP, which refer to development which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services.
8. As I do not have specific details of the number of dwellings in this locality it is prudent to consider the implications if it were to be deemed that the site fell within tier 7 of Policy LP2. In such an instance, as the proposal would not represent infill development, it would still fail to meet with the requirements of this policy.
9. For these reasons, I conclude that the proposal would not accord with Policies LP2 and LP55 of the LP which refer to forms of development that are permissible in this location. There would also be a conflict with The Framework where it seeks to promote sustainable development.

Other Matters

10. My attention has been drawn to the appellant's personal circumstances and as to how these would be addressed by the design of the proposed dwelling. However, there is nothing before me to suggest that these requirements could not be met by other dwellings in other locations. Therefore, whilst I am sympathetic to the need in this respect, this consideration does not justify the proposed development.
11. The appeal site is currently overgrown which may lead to vermin breeding and the appellant questions what use the plot could ultimately be put to. I also acknowledge that support for the proposal has been forthcoming from the occupier of an existing adjacent dwelling and to the appellant's references to the environmental and ecological credentials of the proposal. These considerations do not however overcome the harm I have found and the conflict with the development plan.

Conclusion

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

Graham Wraight

INSPECTOR