



Appeal Decision

Site visit made on 21 September 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/E2530/W/21/3275463

Land adjacent to Pineview, Holywell Road, Castle Bytham, NG33 4SL

- 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 M Nichols of Oakwood Homes against the decision of South Kesteven District Council.
 - The application Ref S20/2150, dated 15 December 2020, was refused by notice dated 1 April 2021.
 - The development proposed is a new chalet bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The decision notice issued by the Council gave a single reason for refusal, although on my reading it encompassed three distinct matters, and I have set out the main issue in this appeal accordingly.
3. I have used the address from the appeal form in the banner heading above; that used on the planning application form did not include the words "land adjacent to", and therefore risks confusion with the dwelling called Pineview to the south of the appeal site.
4. The Government published a revised National Planning Policy Framework ("the Framework") on 20 July 2021, replacing the version published in February 2019. Both main parties were invited to comment on the relevance of any changes in the Framework to this appeal. Where I have referred to specific paragraphs of the Framework, the numbering used is that of the July 2021 version.

Main Issue

5. The main issue is whether or not the appeal site is an appropriate location for the proposed new dwelling, having regard to (i) the development strategy for the area, (ii) the effects of the proposed development on the character and appearance of the area, and (iii) its effects on living conditions for neighbouring residents.

Reasons

6. The appeal site lies towards the southern edge of the village of Castle Bytham, on the east side of Holywell Road. To its north is a piece of land where a group

of six houses is being built under planning permissions dating from 2017 (outline permission) and 2019 (reserved matters)¹; the nearest of these to the appeal site is currently known as "Plot 1". To the south is a short cul-de-sac of three dwellings built in a farmhouse or barn style (moving away from Holywell Road these are Pineview, Churchfield House, and Oak House), and a mix of converted farm buildings and new buildings including the properties "Meadow End" and "The Barns". Beyond these is open countryside.

7. At the time of my site visit the appeal site was being used as part of the construction compound for the six dwellings, although drawings forming part of the 2017 permission show most of it being retained as an access way for the field to the east behind the housing on Holywell Road. Part of the appeal site falls within what was earmarked as part of the garden of Plot 1.
8. The proposed development is the erection of a four-bedroom chalet bungalow (although it is described as having three bedrooms at one point in the appellant's statement), as well as a garage block towards the street frontage which would provide single garage for the proposed dwelling and a double garage for Plot 1.

Development Strategy

9. Castle Bytham is a small though rather spread-out village. Its historic core, some way north of the appeal site, is focused on the area between St James's church and the remaining earthworks of a Norman motte and bailey castle. I saw on my site visit that the core of the village has for the most part a very traditional appearance and layout, with stone built cottages and houses setting the dominant character. Moving south along Station Road, there is a variety of twentieth century housing between the village centre and the former railway line. Beyond the railway line, a few houses stretch out ribbon-style on the east side of Station Road; a former quarry occupies much of the west side of the road, although there is also a small community shop in a modern timber building.
10. Further south still, the Corner House and The Rectory are at diagonally opposite corners of the crossroads where Station Road becomes Holywell Road, and Clipsham Road and Little Bytham Road run west and east. This point marks the beginning of an area of housing, mostly developed from the mid-twentieth century onwards. As well as the six houses being built next to the appeal site, and Pineview and the other neighbouring properties to the south, there are five blocks of semi detached or terraced houses on the west side of Holywell Road. Behind these to the west, entered from Clipsham Road, are two cul-de-sacs of mid and late-twentieth century dwellings.
11. Policy SP2 of the 2020 South Kesteven Local Plan ("the SKLP") sets out the settlement hierarchy for the district, and aims to direct the majority of development towards the town of Grantham. Castle Bytham is one of the district's defined smaller villages; for these SP2 supports development which does not compromise the villages' nature and character, and which complies

¹ LPA Refs S17/2137 and S19/1437 respectively.

with other relevant policies, including SP3. Policy SP3 sets four criteria for infill development:

- a) The site should be within a substantially built-up frontage or represent a redevelopment opportunity;
- b) The site should be within the main built-up part of the settlement;
- c) The proposal should not cause unacceptable harm to the amenity of the occupiers of neighbouring properties; and
- d) The proposal should not extend the pattern of development beyond the existing built form, should be in keeping with the character of the area and should be sensitive to the setting of adjacent properties.

- 12. There appears to be no dispute between the main parties that the proposal complies with criterion a); as the appeal site is a relatively narrow plot of land between the six new houses being built on Holywell Road, and Pineview and the other neighbouring properties to the south. None of the evidence before me leads me to a different view.
- 13. The Council considers that the appeal site is not within the main built-up part of Castle Bytham, and has drawn my attention to what it describes as “a distinct break in development on the east side of Station Road to the north of Little Bytham Road”. It therefore takes the view that the, and thus criterion b) is not complied with. However, based on all the evidence before me and my observations on site, I do not agree with that assessment.
- 14. Having regard to the way in which the village has evolved over the years, it is clear that the housing at, and to the south of, the Station Road/Holywell Road/Clipsham Road/Little Bytham Road crossroads would until very recently have been physically and visually separated from the rest of Castle Bytham. However, by the time of my site visit work was underway to develop the former quarry site and frontages on the west side of Station Road for housing. I have not been provided with full details such as the layout or appearance of those schemes, but it was apparent to me from what I saw that before very long there will be development on Holywell Road and Station Road all the way from The Barns and Meadow End south of the appeal site into the centre of Castle Bytham.
- 15. While in some places there will still be open fields on one side of the road, including on Station Road north of Little Bytham Road, the overall impression for anyone travelling along Holywell Road and Station Road will be of being within a continuous settlement. These other schemes are already being built, and the days of there being a distinct break in development as described by the Council are therefore numbered. Accordingly, I consider that the distinction between the “main built up part of the settlement” and the appeal site which the Council seeks to draw has been lost, and criterion b) is complied with.
- 16. It is necessary to consider the effects of the proposed development on neighbours’ living conditions, and on the character and appearance of the area, in order to establish whether or not the proposal complies with the remaining criteria of Policy SP3.

Character and appearance

17. While some of the six new dwellings being built to the north of the appeal site have projecting gable bays at the front, their main roof ridges are aligned parallel to Holywell Road. They therefore have a reasonably substantial street presence. The proposed bungalow, on the other hand, would have a gable facing the street, while its main roof ridge would be perpendicular to Holywell Road and, with a maximum overall height of around 6m, would be lower than its neighbours. While the submitted drawings show that footprint of the bungalow would maintain the spacing and rhythm of the new housing to the north, because of its scale and massing it would appear rather less substantial than those neighbours. The chalet design would also clash visually with the six new houses and, in particular, with the very traditionally-styled Pineview and other immediate neighbours to the south. To my mind, the bungalow would have the appearance of having been contrived to fit into a relatively cramped and unsuitable space. Taking all of this together, I find that it would not be in keeping with the character of the area.
18. There is a considerable variety of types of housing within Castle Bytham as a whole, and in the southern part of the village which includes the appeal site; even so, the chalet style does not seem to be one which is found elsewhere in the vicinity. The proposed dwelling would be obvious to anyone passing along Holywell Road and, in my view, its scale and design would appear jarring and incongruous. The appellant has referred to bungalows on Bytham Heights which are close to the appeal site and which I saw at the time of my site visit. However, they are arranged as a group of similar properties which together have some consistency of scale, massing and detailing. In part they therefore contribute to defining the character of their street in a way that the appeal scheme would not for Holywell Road. While I do not disagree with the appellant's argument that some of the late twentieth century housing developments nearby "pay little regard to local vernacular stylings", that does not justify further harm to the character and appearance of the area.
19. I acknowledge that the use of stone walls and orange roof tiles would be in keeping with the materials traditionally used in the village. However, while this aspect of the scheme would be acceptable, it would not outweigh the other harm to character and appearance which I have found.

Residential amenity

20. The Council did not direct me towards any guidance on what it considered to be appropriate separation distances, although the appellant drew my attention to extracts of a draft "Design Guidelines for Rutland and South Kesteven" Supplementary Planning Document ("SPD"), produced jointly by the Council and Rutland County Council for public consultation in December 2020. There is no information before me as to whether the draft SPD has subsequently been adopted, and consequently in itself it carries very limited weight in this appeal. Nonetheless, the minimum separation distance which it recommends between a habitable room and a blank two-storey elevation on a neighbouring building is 14m, which in my experience is in keeping with similar advice elsewhere.
21. In this case, the appellant indicates that there would be approximately 15.5m between the side elevation of the proposed bungalow and windows on the main rear elevation of Churchfield House, the nearest of its three neighbours to the south. Although that measurement has not been disputed by the Council, I saw

on my site visit that there is a two-storey extension facing the appeal site on the rear of Churchfield House which does not appear on the submitted drawings. However, given the limited eaves height of the single-storey side elevation and the relatively low overall height of the bungalow, even allowing for the presence of the extension to Churchfield House, it would not be overbearing when seen from within the dwellings to the south or their rear gardens. While I acknowledge the concerns which the occupiers of Pineview, Churchfield House and Oak House have expressed in respect of the proposed development, which would of course be visible from their dwellings, I am satisfied that it would not significantly harm their amenity.

Summary of findings on main issue

22. The appeal site is within a substantially built-up frontage within the main built-up part of Castle Bytham, and the proposed development would not cause unacceptable harm to neighbours' living conditions. Criteria a), b) and c) of Policy SP3 are therefore complied with. However, I have found that the proposal would not be in keeping with the character of the area, so criterion d) is not complied with. Accordingly, the requirements of the policy as a whole are not met.
23. I conclude that the appeal site is not an appropriate location for the proposed new dwelling. The proposal therefore conflicts with Policies SP2 and SP3 of the SKLP, which together set out the development strategy for the district and the circumstances in which infill development is supported. As I have found that there would be significant harm to the character and appearance of the area there would be further conflict with Policy DE1 of the SKLP, which promotes good design and seeks to ensure that development is of an appropriate scale, density, massing and height, and that it makes a positive contribution to reinforcing local distinctiveness. For the same reasons, the proposal would conflict with the aims of Chapter 12 of the Framework in respect of achieving well-designed places, notably the requirements of paragraph 130.

Conclusion

24. The proposal would provide an additional dwelling, making a small contribution to housing supply in the area; this is a benefit which carries modest weight in the scheme's favour. However, the proposal would undermine the plan-led approach to development, which includes provision for infill development in appropriate circumstances, and there would be harm to the character and appearance of the area which I have found. These harms carry significant weight, which would not be outweighed by the benefits of the scheme. The proposal would therefore conflict with the development plan, and there are no other considerations that outweigh this conflict.
25. For the reasons set out above, the appeal is therefore dismissed.

M Cryan

Inspector