



Appeal Decision

Site visit made on 22 February 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2023

Appeal Ref: APP/D2510/W/22/3307882

Land at Church Lane, Manby, Louth, Lincs LN11 8HL

- 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 Rick Howell against the decision of East Lindsey District Council.
 - The application Ref N/113/00480/22, dated 14 March 2022, was refused by notice dated 10 May 2022.
 - The development proposed is described as: 'erection of 1no. dwellinghouse'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form. In doing so I have removed words that are not acts of development.
3. The planning application was submitted in outline form with all matters reserved for future consideration. I have dealt with the appeal on this basis and I have treated the submitted plans as being illustrative only.

Main Issue

4. The main issue is whether the appeal site is an acceptable location for the proposed development having regard to the development plan policies and the effect on the character and appearance of the area.

Reasons

5. The appeal site is a parcel of land currently forming part of a large agricultural field, bounded by a hedgerow, on the fringes of Manby. The appeal site forms part of uninterrupted views of open countryside seen over the hedge from Church Lane.
6. Church Lane adjoins Carlton Lane to the west of the appeal site. Here it is lined by residential development to both sides and a continuous pavement to the south side. As the road nears the appeal site it narrows considerably, the pavement ends and, upon rounding the bend adjacent to 39 Church Lane, the character is distinctly more rural and agricultural. Housing development becomes more sporadic and is interspersed with green space and traditional agricultural buildings before the road eventually becomes a dead end.
7. The appeal proposal seeks to construct a dwelling on the appeal site. Policy SP3 of the East Lindsey Core Strategy Local Plan (2018) (the LP) supports the

development of windfall sites in appropriate locations within and outside of (but immediately adjacent to) the developed footprint of settlements, including Manby. To qualify as an appropriate location, sites, if developed, would need to, amongst other things, retain the core shape and form of the settlement, not significantly harm the settlement's character and appearance, its rural setting or the surrounding countryside.

8. With regard to the policy requirement, the Council considers the appeal site to be adjacent to the developed footprint of the settlement, with the frontage of the application site being opposite the built form on Church Lane. I see no reason to disagree.
9. However, a new dwelling on the appeal site at this point along Church Lane would not relate well to the built form of the settlement. Instead, it would represent a significant incursion into what is currently an open field, which it would abut to three sides. The introduction of urban features such as buildings, hardstanding, boundaries and garden areas would adversely affect the character and appearance of the open countryside and this part of Church Lane.
10. A dwelling here would appear as a disjointed and incongruous form of development that would sit awkwardly on the field due to the alignment of the road and lack of a boundary with the closest residential property. Whilst I accept that new housing development on the edge of a settlement will inevitably affect its character, for the above reasons, development at the appeal site would be at odds with the pattern of development and harmful to the rural setting of the settlement.
11. Whilst the evidence refers to maintaining the existing hedgerow as a boundary to the new development, any dwelling would likely be visible over or through it, whilst the provision of an access would also permit views along it. The development would also be visible from through the hedge from the road running along the western boundary of the field.
12. The appellant has referred to two planning approvals nearby. Both sites are located on the edge of the settlement. However, unlike the appeal site, they are both relatively well enclosed with existing well-defined boundaries. In the case of the approval on Middlesykes Lane¹, that site is bounded by the highway to two sides and immediately abuts existing development with a proposed garden length in line with those nearby.
13. The approval at Mill Lane² relates to a smaller paddock with residential development to two sides and residential development along Eastfield Lane visible beyond. Both examples provided therefore have a much more limited effect on the rural setting than the appeal proposal. In contrast, the appeal site relates to the incursion into an existing open field that has uninterrupted views of open countryside extending beyond. New boundaries with the open field would be created to three sides. The two examples referred to are therefore not directly comparable with the appeal proposal.
14. For the above reasons, I conclude that the proposal would be significantly harmful to the character and appearance of the area and the rural setting of Manby. The appeal site is therefore not an acceptable location for new housing

¹ N/067/2357/20.

² N/067/141/21.

development having regard to the development plan policies. The proposal would conflict with Policies SP1, SP2 and SP3 of the LP which seek to provide sustainable patterns of development for new housing.

15. There would also be conflict with paragraph 130 of the National Planning Policy Framework (the Framework) which requires planning decisions to ensure new developments add to the overall quality of the area, are visually attractive as a result of good architecture and layout and are sympathetic to the landscape setting.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR