



# Appeal Decision

Site visit made on 22 June 2023

**by J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 August 2023**

## **Appeal Ref: APP/E2530/W/22/3313308**

### **The Corn Drier, Toll Bar Road, Marston, Grantham NG32 2HT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against an approval to details required by a condition of a planning permission.
- The appeal is made by Mr S Parker against the decision of South Kesteven District Council.
- The application Ref S22/1043, dated 20 May 2022, sought approval of details pursuant to condition No 2 of a planning permission Ref S20/1562, granted on 8 January 2021.
- The application was refused by notice dated 15 July 2022.
- The development proposed is residential development.
- The details for which approval is sought are: layout, scale, appearance and landscaping.

## **Decision**

1. The appeal is dismissed and approval of the reserved matters is refused, namely: layout, scale, appearance and landscaping attached to planning permission Ref S22/1043 dated 20 May 2022.

## **Preliminary Matters**

2. Outline planning permission was granted for residential development with all matters reserved except for access<sup>1</sup>. Access to the site would be via an existing access from Toll Bar Road. A subsequent application for reserved matters for three dwellings has been approved<sup>2</sup>. Therefore, the principle of residential development on the site is established and the approved scheme for three dwellings provides a fall-back position. This proposal would alter the layout in relation to the position of Plot 1 of the approval and the configuration of the turning head and add an additional dwelling in an area identified for landscaping.

## **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the area.

## **Reasons**

4. The appeal site comprises an existing commercial site and access to it. It includes a former agricultural grain-drier building which has subsequently been used by non-agricultural commercial uses. As well as the large building, the site includes a significant number of storage containers. It is partly screened from the surrounding area by mature vegetation but adjoins the gardens to residential properties on Pinfold Lane. It has a long access, from Toll Bar Road

<sup>1</sup> Planning Application Ref: S20/1562.

<sup>2</sup> Planning Application Ref: S21/1413.

with the existing buildings set well back in a semi-rural area with open land between the buildings and the road.

5. The nearest dwellings on Pinfold Lane and Toll Bar Road are well spaced and generally follow the linear road layouts within Marston. They are generally in generous plots which together with their locations at the boundaries of the built-up parts of the village contribute to the semi-rural character of the area.
6. Existing buildings on the appeal site take up a significant portion of the site and the three approved dwellings generally reflect that density despite appearing quite different in its grouping to the linear residential development in this part of Marston. Whilst the approved scheme allows a grouping of dwellings which do not follow the linear pattern described above, it includes a landscaped area which provides a softening effect to the group of three.
7. The proposed scheme on the other hand would result in a tight knit development that would lose the spacing and semi-rural character that the approved scheme would achieve. The pleasant semi-rural environment that would be achieved by replacing the industrial buildings with three houses would be lost by the additional proposed fourth dwelling.
8. I therefore consider that the proposal would represent a much more intensive development that would have a significantly worse effect than the fall-back position of three dwellings. It would have a harmful effect on the character and appearance of the area and as such, would conflict with Local Plan Policy DE1<sup>3</sup> which seeks to promote good design and not have an adverse impact on the settlement pattern, landscape or the character of the surrounding area, amongst other things. These aims are reflected in the Council's SPD<sup>4</sup>

## **Other Matters**

9. The appellant refers to another development nearby and the details submitted indicate a development for five dwellings set behind Glendale on Main Street. However, I have limited information about this proposal or how it physically relates to the appeal site and so am unable to draw a comparison between the two.
10. I am satisfied that there are no technical issues or other matters that weigh against the proposal. I also acknowledge that the site is a previously developed one which is reflected in the outline approval and the subsequent reserved matters approval.
11. The appellant also refers to the benefits that would arise, in particular, those relating to economic, social and environmental objectives of achieving sustainable development as required by the National Planning Policy Framework<sup>5</sup>. However, these benefits would arise should the site be developed under the approved scheme and I have no evidence that the approved scheme cannot be implemented which would prevent those benefits being realised. In comparison, the additional benefits arising from the proposed development before me would be small.

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<sup>3</sup> South Kesteven District Council Local Plan 2011-2036 January 2020.

<sup>4</sup> Rutland County Council and South Kesteven Council – Design Guidelines for Rutland and South Kesteven – Supplementary Planning Document November 2021 (SPD).

<sup>5</sup> Ministry of Housing, Communities and Local Government National Planning Policy Framework 2021 (the Framework).

12. The appellant refers to the requirement, set out in the Framework for Local Planning Authorities to demonstrate a five year supply of housing land. However, there has been no evidence submitted that the Council has a shortfall of deliverable sites or that the relevant development plan policies are out of date. On the basis of the evidence before me there is no justification for engaging paragraph 11(d) of the Framework.

**Conclusion**

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

*J D Clark*

INSPECTOR