



Appeal Decision

Site visit made on 28 May 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2024

Appeal Ref: APP/B2002/W/23/3335631

Land to the south of The Georgian House, Main Road, Barnoldby Le Beck, Grimsby DN37 0AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Barford against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0235/23/FUL.
 - The development proposed is erection of 3no. dwellings and alterations to existing vehicular and pedestrian access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst a revised version of the National Planning Policy Framework was published in December 2023 (the Framework), the sections relevant to this appeal remain unchanged. Therefore, the principles that apply to this decision remain the same.

Main Issue

3. The main issues are:
 - Whether the site represents an appropriate location having regard to the Council's settlement hierarchy;
 - The effect of the proposal on the character and appearance of the site and surrounding countryside.

Reasons

Appropriate location

4. The appeal site lies in Barnoldby le Beck which is defined as a Minor Rural Settlement in the settlement hierarchy in Policy 3 of the North East Lincolnshire Local Plan (2018) (the NELLP). This policy sets out the type of development which would be supported in each category of settlement and is based on an assessment of the level of accessibility for residents to a wide range of key services and amenities.
5. The appeal site is a long, thin area of scrubland located to the rear of the large, detached dwellings, known as The Georgian House and Lavender Barn. To the south of the site lies Kingsfield Ponds, a dwelling granted permission in open

countryside under Paragraph 55 of the National Planning Policy Framework (2012) on account of its design. Access is via a single track running between The Georgian House and Barnoldby House and through the appeal site providing access to Kingsfield Ponds, Park Cottage and rear access to Lavender Barn. A Public Right of Way (PROW) runs along the western side of the access and then crosses to the rear of Barnoldby House.

6. The proposal is for the erection of three individual designed properties of the same materials, being a mix of 2 storey, 1.5 storey and single storey on the plot closest to Lavender Barn. The access road would remain in the same location with the new dwellings sited on either side. The proposal also includes the provision of an attenuation pond and additional landscaping.
7. Policy 5 of the NELLP sets out the approach to new development located within and outside of the defined development boundary. The justification text to Policy 5 says that the nature and form of settlement edges has informed the process of defining development boundaries including key characteristics, views and distinctive features, visual space and sensitivity to change.
8. The appeal site is located outside of the development boundary as set out in the NELLP Policies Map and therefore is regarded as open countryside. Part 3 of Policy 5 says that development in such locations will be supported where it recognises the distinctive open character, landscape quality and role the area plays in providing individual settings for independent settlements and, in the case of new housing, will consist of affordable housing to meet specific local needs. As the proposed development is for open market dwellings it does not comply with requirements set out in Part 3 of Policy 5.
9. There currently are very few facilities in the village, which is reflected in its categorisation within the settlement hierarchy as a Minor Rural Settlement. Under Policy 3 of the NELLP, development in these villages is restricted to the limited infill, conversion and re-use of existing buildings. The appellant has referred to an on-demand bus service and school buses which collect and drop off pupils. However, I have no evidence before me that the level of services has significantly changed Barnoldby le Beck's role within the settlement hierarchy. Although Waltham has a greater range of facilities available, this is beyond the distance where the primary means of access would be on foot or by cycling.
10. I note the appellant's comments that the Council have approved several small-scale developments in recent years, however I do not have details on these proposals and have considered the appeal on its own merits.
11. The proposed development is outside the development limit of a Minor Rural Settlement and would not provide development which is considered suitable in this location having regard to the Council's settlement hierarchy. I thus conclude that the proposed development conflicts with Policies 3 and 5 of the NELLP in this regard and would undermine the Council's spatial strategy.

Character and appearance of site and the surrounding countryside

12. The local area is characterised predominantly by large, detached dwellings of differing styles. Many of the dwellings are located on very spacious plots, which are set back from the main road. There is no pavement on this part of Main Road, instead there are deep grass verges and this, alongside tree and hedge

planting, gives the village a verdant appearance. Although primarily linear in form, there is some depth to development in parts of the village.

13. The appeal site is located outside the main built-up area of the village and is separated from dwellings to the north by a mix of fencing, hedging and trees. To the south and east of the site there are trees and hedging which visually separates it from Park Cottage and Kingsfield Ponds. I noted from my site visit that these boundary treatments give the site a degree of visual containment.
14. Although there is another residential property to the south it's design as an exception dwelling in the open countryside means that the site does not have the appearance of an infill plot between built development. Rather, the site appears as a transition between the village and the openness of the wider countryside beyond, acting as a buffer, which provides a distinctive feature in the setting of the village.
15. The access track runs between the substantial plots associated with The Georgian House and Barnoldby House. As such the site does not read as a logical extension of the built form. As one proceeds along the access track the area changes from being part of the built form to being rural in character, this then extends into open countryside along the PROW. The proposed development would extend the built form of the village further into the countryside eroding the buffer and creating a hard developed edge which would harm the setting of the village, particularly when experienced from the PROW.
16. I conclude that the proposal would harm the role of the site as a transition between the main built-up part of the village, which is a distinctive feature in the setting of the village. It would therefore cause harm to the character and appearance of the village by virtue of its location outside of the development boundary and in open countryside. Hence, it is contrary to Policy 5 of the NELLP which recognises the distinctive open character, landscape quality and role that land beyond development boundaries plays in providing the individual setting of settlements.
17. The proposal is also contrary to the Framework which seeks to enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Planning Balance

18. Both parties have referenced recent appeal decisions and the weight which has been attributed to the supply of housing. Although the position has changed during the consideration of the planning application both parties accept that the Council are currently able to demonstrate a supply of specific deliverable sites sufficient to provide in excess of five years' worth of housing.
19. I acknowledge the proposal would support the Government's aim of significantly boosting the supply of homes, however the addition of three dwellings would make a small contribution to that supply. In addition, there would be temporary and ongoing economic benefits from the development, including the support for local services, but given the small number of dwellings proposed those benefits would be modest. I also recognise that the proposal would include soft and hard landscaping which could have some positive impact on the visual appearance of the site. However, the harm

identified to the Council's settlement hierarchy and character and appearance of the area would be of greater significance.

Conclusion

20. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR