



Appeal Decision

Site visit made on 7 January 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/E2530/W/24/3347616

Wildwood, Nightingale Lane, Aisby, Lincolnshire NG32 3NE

- 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 and Mrs J and P King and Keerman against the decision of South Kesteven District Council.
 - The application Ref is S23/1913.
 - The development proposed is demolition of Class Q consented barn and erection of a detached dwelling, detached storage building, hard and soft landscaping and formation of a re-wilding zone.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). During the appeal the parties were invited to comment on the relevance of the revised Framework to the appeal proposal. In reaching my decision, I have had regard to the parties' responses.

Main Issue

3. The main issues are:
 - whether the appeal site is an appropriate location for the development having regard to the spatial strategy of the development plan;
 - the effect of the proposal upon the character and appearance of the area, and;
 - whether a fallback position would exist that would outweigh any harm in respect of the development.

Reasons

Appropriate location

4. The South Kesteven District Council Local Plan [2011] ('SKLP') establishes a settlement hierarchy which sets out those settlements which are the most suitable to meet the development needs of the area. Such settlements include Aisby, which is located towards the bottom of this hierarchy, and is identified as a 'small village'. However, the appeal site is located beyond the settlement boundary of Aisby.
5. SKLP Policy SP5 restricts development within the countryside except where it is for a specific purpose set out within the closed list contained within the policy. This list includes, amongst other things, agricultural workers' accommodation, replacement

dwelling and conversions, but not new-build open market housing. The proposed dwelling would not therefore meet any of the identified needs or forms of development set out in SKLP Policy S5.

6. Therefore, the appeal site is not an appropriate location for the proposed development having regard to the spatial strategy of the development plan. It would therefore conflict with SKLP Policy S5, the content of which I have set out above.

Character and appearance

7. The existing building on the appeal site is a timber barn with central doors which addresses a paddock area, beyond which is a residential dwelling of contemporary “huf house” design. Further paddocks are found to the west of the existing barn, beyond a pond. The existing dwelling, barn and paddocks are enclosed by mature shelter belts to the north, west and south.
8. Aisby is a small village focused around the village green, which lies to the east of the appeal site. A belt of trees, and a planted bund separate the appeal site and its immediate environs from the wider village, and appeal site and neighbouring grassland are well contained, although there are filtered views towards the rear gardens of other properties to the east and north.
9. This setting and the size of the existing barn, along with the arrangement of paddocks, some of which I saw contained livestock, results in an agricultural character to the appeal site. Consequently, the use of an agricultural inspired design approach for the proposal is understandable. However, it would nevertheless be unmistakably domestic in nature, with large feature windows, an external covered cooking area, balconies and a large, attached domestic garage, along with associated garden areas.
10. As a consequence, the proposal would have neither the appearance of a converted agricultural building, nor of a contemporary dwelling such as Wildwood itself; rather it would be an amalgam of both concepts. This, along with the scale of the proposal means that it would appear as a large and somewhat alien feature.
11. My attention has been drawn to other examples of new dwellings, as well as examples of agricultural buildings that can be found in South Lincolnshire, which include dutch barns. However, I saw that Aisby is tightly drawn around the central village green, and that although in some cases large, dwellings are predominantly traditional in design and materials, with a heavy prevalence of stone construction and pantile roofs. I did not see any other dutch barn style buildings within or immediately around the village, and the local rural landscape was notable for its lack of obvious farm groupings with large agricultural buildings.
12. The proposed dwelling would be significant in scale, and considerably larger than the existing barn and would be project further into the field. The size and location of the proposed dwelling means that it would appear as distinctly separate from the wider village. Its height, bulk and curved roof means that it would, despite the use of feature windows, have a heavy presence. This would be mitigated by the existing bund and surrounding tree belts to some extent, however where visible, the proposal would appear as sporadic development within the countryside of a very individualistic design and a large scale. It would not, therefore, have sufficient regard for its surroundings.

13. I have had regard to the examples cited by the appellant of other, similar, dutch barn style houses. However, I note that these are indicated as being located in other local authority areas, which will be subject to different planning policies, and where the local context may be different. These examples, although allowing a greater understanding of the appeal scheme, do not lead me to conclude that the proposal before me would be acceptable.
14. I therefore conclude that the proposal would lead to harm to the character and appearance of the area. It would conflict with SKLP Policy DE1 which, amongst other factors, states that developments should make a positive contribution to the local distinctiveness, vernacular and character of the area, and reinforce local identity.

Fallback position

15. In August 2022, the Council determined that prior approval under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 was not required for the conversion of the existing barn to a single dwelling. There is a requirement that this development would need to be completed before 8 August 2025.
16. Although the time to carry out this development is limited, on the basis of the evidence before me, I consider that there is a greater than theoretical possibility that the existing building would be converted to a residential dwelling should the appeal fail, so a fallback position exists.
17. The appeal proposal would offer some benefits over the fallback position in terms of the quality of living accommodation and biodiversity improvements. Both the appeal proposal and the fallback position would result in benefits in terms of boosting housing supply and supporting the economy both during construction and on occupation, and both would represent housing within the countryside. As both developments would be single dwelling schemes, these effects would be comparable in magnitude.
18. However, the fallback position would be a scheme of smaller scale, would retain the character of the existing barn, and would be a significantly less prominent development and would assimilate with its surroundings. In these respects, the appeal proposal would be significantly more harmful than the fallback position.
19. The appellant has drawn my attention to a number of schemes where larger dwellings of differing designs have been approved where a Class Q scheme formed a fallback position. However, I do not have full details of all of these schemes or the precise circumstances within which they were approved. Furthermore, several of the cited examples related to large, but nevertheless traditionally design dwellings, rather than the contemporary approach of the appeal proposal. They would not, therefore, be wholly comparable to the circumstances of this appeal.
20. Overall, the fallback position does not outweigh the harm that I have found.

Other Matters

21. The appeal site lies within an identified buffer zone of Culverthorpe Hall, which is a Grade II Registered Park and Garden and comprises a designated heritage asset. Culverthorpe Hall lies some distance to the north of the appeal site, beyond Aisby

village. Given the distance and level of intervening development, I am satisfied that the proposal would not harm the setting of this heritage asset, and as I am dismissing the appeal for other reasons, no harm could arise from my decision.

Planning balance and conclusion

22. As I have set out above, the proposal would conflict with the development plan with regards to the location of new housing development, albeit the weight that I afford this conflict is reduced as a result of the fallback position.
23. The proposal would also result in harm to the character and appearance of the area. Accordingly, the proposal would conflict with the development plan as a whole, and I afford this conflict great weight.
24. The proposed dwelling would represent a small site and would contribute towards boosting the supply of housing. This is a moderate benefit of the proposal, having regard to the government's aspiration to increase housing delivery. The economic benefits of the proposal both during construction and on occupation would also represent minor benefits of the proposal.
25. The proposal would include a significant area of existing paddock being designated as a rewilding zone, however there are few details as to what this would entail, beyond marginal planting around the pond, the introduction of native edge mix to the corners of the pond and wood piles. Additional measures would include nesting opportunities for birds, bat roosts, bat foraging opportunities and hedgehog commuting routes. However, with no baseline assessment of the current ecological value of this area, or precise details of all of the measures, the extent of any biodiversity improvement that would result from the proposal cannot be fully quantified, and I therefore afford these factors modest weight.
26. It is stated that the proposed dwelling would be constructed to high thermal standards, and the evidence indicates that it would make use of a ground source heat pump, and would provide EV charging facilities. These are all factors that, having regard to the climate challenge, weigh in favour of the proposal. Given the modest scale of the scheme, I afford minor weight to these benefits.
27. When taken together, these benefits would not outweigh the harm or conflict with the development plan that I have identified. Therefore, I conclude that the proposal would conflict with the development plan, and there are no material considerations, including the Framework and the fallback position, that would outweigh that conflict. Accordingly, the appeal is dismissed.

C Harding

INSPECTOR