



Appeal Decision

Site visit made on 12 May 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/Y2003/D/25/3361295

Oak Tree Farm House, Belshaw Lane, Belton DN9 1PF

- 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. Rupert Padgett against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/1435.
 - The development proposed is described as proposed extension to existing dwelling to form ground floor annex.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (i) the effect of the development on the character and appearance of the host property and area in general; and (ii) whether the proposed development would function as an annex.

Reasons

Character and Appearance

3. The appeal site is located within the open countryside within the Area of Special Historic Landscape Interest of the Isle of Axholme, accessed via a track leading from Belshaw Lane. I observed during my site visit that a house approved in 2023¹ is under construction on the site. The proposed development would extend this house to provide accommodation for the applicant's parents.
4. The appeal site is within a rural setting and surrounded on three sides by mature landscaping, the southern boundary adjoins open fields. Views of the house from Belshaw Lane and other public vantage points are limited.
5. I understand that permitted development rights have been removed from the existing property restricting extensions etc. Policy RD10 of the Local Plan seeks to ensure that the volume of any proposed extension does not exceed that of the original dwelling by 20%, exclusive of the normal permitted development rights and the original dwelling forms the dominant visual feature of the dwelling as extended.
6. Both parties agree that the proposed development would exceed the 20% allowance, however the Council's planning officer's report specifies floorspace not

¹ Ref: PA/2022/2120

volume. The appellant has drawn my attention to other developments which they believe exceed the 20% allowance.

7. I understand that the permitted dwelling was amended to remove a farm meeting room in a similar location to the proposed development. The Council assert that the size of the host property was permitted to meet the needs of the farm business and any further increase in size would require justification, however I have not been provided with any substantive evidence relating to this point.
8. The proposed development is large however due to the location set back from the existing property, the location of the workshop to the front of the property and the limited views into the site the proposed development would be screened to a degree. The existing dwelling would still be the dominant visual feature. I am also mindful that the existing property is in the process of being built as such the proposed development would be read as part of the new dwelling and would not visibly be an extension.
9. The Council confirm that the appeal site is located within a well-preserved area of the early enclosures southwest of Belton Field, one of the best preserved areas of the core historic landscape in the Isle of Axholme Area of Special Historic Landscape. Comments provide by the Councils Historic Environment Officer relate to the 2023 planning application for the new dwelling, stating that the proposal would change the use of the historic agricultural land and extend the domestic environment into the historic landscape. Such a development would represent a considerable visual intrusion that would be highly visible in the surrounding historic landscape.
10. The proposed development would not introduce a new form of development and would not be incongruous to the host property or the surrounding landscape. I find that the proposed development would not harm the character and appearance of the host property and area in general.
11. In relation to this main issue regarding the effect of the proposed development on character and appearance the proposed development would not conflict with Policies CS1, CS2, CS3 and C8 of the North Lincolnshire Local Development Framework, People, Places, Spaces, Core Strategy (2011) and Policies RD2, RD10, LC14 and DS1 of the North Lincolnshire Local Plan, including Policies for Minerals and Waste (2003) (the Local Plan) which amongst other things seek to support the delivery of high-quality design whilst protecting the countryside and the Isle of Axholme Area of Special Historic Landscape.

Annex

12. The proposed annex would be single storey comprising an open plan kitchen, living and dining room, one bedroom, bathroom and cloak. The annex would have a separate entrance to the main property; and there would be no internal link to the host property. This configuration would establish the annex as a fully self-contained residential unit with independent facilities for day-to-day living.
13. These considerations alone would not necessarily mean the proposed accommodation would become a separate planning unit from the host property², instead it would be a matter of fact and degree.

² Uttlesford DC v SSE & White [1992]

14. If occupiers of the annex shared living activity in company with the occupants in the host dwelling, there would be no reason in law why such accommodation should consequently become a separate planning unit from the main dwelling. If the proposed development with its living accommodation was part of the same planning unit as the dwellinghouse, and provided that the planning unit remains in single family occupation and continues to function as a single household, no material change of use is involved.
15. From the information before me the annex would share the garden, access and car parking with the main property.
16. The appellant confirms that due to long hours worked and being on-call it would not be practical, nor would he have the time to call in morning and night to care for his parents. The appellant asserts that the annex would allow him to 'care for his parents during the slacker months and arrange for carers in Harvest Time'. This suggests limited interaction between the occupants of the main property and the proposed annex.
17. I have not been provided with substantive evidence to demonstrate that the proposed development would function as an annex, with the primary occupants sharing living activities with the rest of their family in the main property. I find that the proposed development would not function as an annex.
18. With regard to the main issue relating to whether the proposed development would function as an annex there is conflict with Policy RD2 of the Local Plan which seeks amongst other things to protect the countryside.

Conclusion

19. For the above reasons I conclude that this appeal should be dismissed.

Chris Pipe

INSPECTOR