



Appeal Decision

Site visit made on 28 May 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

Appeal Ref: APP/Y2003/W/25/3360048

Plot 5, Tavella Court, Westwoodside, North Lincolnshire DN9 2PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Morten Gledhill of JH Pickup and Co against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/636.
 - The development proposed is outline application for a Self-Build dwelling on Plot 5 Tavella Court, Westwoodside. Access to the property will be directly off Tavella Court, off Uppertorpe Hill.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is for outline planning permission for a self-build dwelling with all matters reserved. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - whether the site represents an appropriate location for development having regard to the Council's settlement hierarchy; and
 - the effect on the character and appearance of the surrounding area, including the significance of the historic landscape of the Isle of Axholme, a Non-Designated Heritage Asset (NDHA) in which the site lies.

Reasons

Appropriate location

4. The appeal site lies in the village of Westwoodside, which is defined as a Rural Settlement in the settlement hierarchy set out in the North Lincolnshire Core Strategy (2011) (CS). It is located at the entrance to Tavella Court, a residential cul-de-sac comprising four detached dwellings which runs parallel with Uppertorpe Hill. The appeal site is located between No 4 Tavella Court, a bungalow and the rear garden of 20 Uppertorpe Hill, a semi-detached dwelling.
5. The site provides access to a larger agricultural field which is bounded to the south by the modern residential development of Binks Court. The original access to the field was formerly through this site and a right of access has been retained. The main part of the village has a number of facilities including a public house, school, post office and convenience store. The village has a dispersed pattern of

development and the dwellings along Upperthorpe Hill are separated from the main part of the village by agricultural fields. The appeal site and other properties along this part of Upperthorpe Hill are located outside of the development limit as defined on the Policies Map of the North Lincolnshire Housing and Employment Land Allocations Development Plan Document (2016) (DPD).

6. Policies CS2, CS3 and CS8 and saved Policy RD2 of the North Lincolnshire Local Plan (2003) (LP) set out the approach for new housing development in each category of the settlement hierarchy. The policies establish that development outside development limits, will be strictly limited, with consideration given to development which relates to agriculture, forestry or to meet a special need associated with the countryside.
7. Although the appeal site adjoins a residential cul-de-sac all of the neighbouring dwellings are located outside of the development limit. The proposal is for a self-build, open market dwelling and therefore does not comprise the type of development which will be supported outside of development limits.
8. I note that planning permission for a dwelling on the site was granted in the 1990's, however this permission was not implemented and has subsequently lapsed. This, therefore, has no material weight in the determination of this appeal.
9. The appeal site is located outside of the development limit and therefore is not an appropriate location for development having regard to the Council's settlement hierarchy. It thereby conflicts with Policies CS2, CS3 and CS8 of the CS and Policy RD2 of the LP and would undermine the Council's spatial strategy.

Character and appearance

10. The appeal site provides access to a larger agricultural field and both fields are within the Isle of Axholme Area of Special Historic Landscape Interest which is identified in Policy LC14 of the LP and is therefore a NDHA. The area's significance relates to its nationally significant medieval landscape, notably the open strip fields and turbaries. The block of Ancient Open Strip Fields (AOSF) that survives in the centre of Westwoodside village, which includes the appeal site, forms part of the wider core historic landscape character zone which lies between Westwoodside and Upperthorpe Hill and retains its historic character, despite development which has taken place around its fringes. Although the appeal site comprises only a small part of this central block it would result in the partial loss of the NDHA, thereby causing a small degree of harm to its significance.
11. The appeal site is the only remaining open strip of the AOSF that extends to Upperthorpe Hill with no intervening development. Despite being visually contained on two sides by landscaping, it provides a gap in the built form along Upperthorpe Hill providing views towards the AOSF. The proposal would result in the enclosure of this remaining gap, which would further erode views into the AOSF causing moderate harm to its setting.
12. Although the appellant puts forward that the proposed dwelling would reflect the traditional character of the area, as it's design is a reserved matter it has not formed part of my consideration of the appeal.
13. The proposal would harm the character and appearance of the surrounding area including the significance of the historic landscape of the Isle of Axholme, a NDHA.

It therefore conflicts with Policies CS5 and CS6 of the CS and Policies LC14, LC7, RD2, DS1 and H5 of the LP. Together, these policies seek to ensure development enhances the character, appearance and setting of the immediate area and does not adversely affect the appearance or setting of the historic landscape or any of its features.

Other Matters

14. Paragraph 73b) of the National Planning Policy Framework (the Framework) states that local planning authorities should support small sites to come forward for self-build and custom-build housing. The Council does not have a policy on self-build and custom-build housing. Although the appellant states that the proposal would be a self-build dwelling no evidence has been put forward in relation to how it would meet the legal definition as set out in the Self-build and Custom Housebuilding Act 2015 (as amended). Nevertheless, for the reasons outlined above the proposal is not located in an appropriate location for this type of development.
15. Whilst the appellant makes reference to the possibility of offering land to the Parish Council no agreements have been reached and, therefore I give this neutral weight.

Planning Balance and Conclusion

16. As part of the appeal the Council have conceded that, albeit marginal, they are unable to demonstrate a five-year supply of deliverable housing. In these circumstances footnote 8 and paragraph 11d)ii of the Framework explains that planning permission should be granted unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
17. The policies in the Framework seek to significantly boost the supply of homes and provide affordable housing to meet identified need. The proposal would provide one additional self-build dwelling which would make a small but nevertheless important contribution towards meeting local housing need. In addition, the site has little biodiversity value and there would be temporary and ongoing economic benefits from the development, including support for local supply chains. These are modest benefits which weigh in favour of the proposal.
18. Although there is support for new self-build housing, and other benefits to the proposal as set out above, the importance of a suitable location for development and preserving the significance of a NDHA demonstrably outweighs the benefits of the proposal when assessed against the policies in the Framework taken as a whole. Consequently, the presumption in favour of sustainable development does not apply.
19. 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. Therefore, for the reasons given, the appeal is dismissed.

C Skelly

INSPECTOR