
Appeal Decision

Site visit made on 5 August 2025

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

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/Y2003/W/25/3365980

Evermore, Clarkes Road, North Killingholme, North Lincolnshire DN40 3JQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr K Holley against the decision of North Lincolnshire Council.
 - The application Ref is PA/2025/59.
 - The development proposed is residential development for up to 7 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. In respect of residential development, an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and a maximum number of net dwellings as part of the application. In this instance, permission in principle has been sought for up to 7 dwellings.
5. The appeal includes a schematic layout to demonstrate how the site may be developed. I have treated this information as illustrative.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

7. The appeal site is a paddock area which fronts onto Clarkes Road and lies to the north of Evermore, a large, detached dwelling, set in spacious grounds. To the north of the appeal site there are a pair of semi-detached properties called Vicarage Farm cottages, which are set back from Clarkes Road, to the rear of Meadowcroft, a detached bungalow. The area to the west of the appeal site is agricultural land. Clarkes Road is a single tarmacked road with wide grass verges which provides access to a number of dwellings and farms. Land to the east of Clarkes Road is open, agricultural land which provides longer distance views towards the oil refinery. The character of this part of the village is that of detached dwellings within substantial plots.
8. Policies CS2, CS3 and CS8 of the North Lincolnshire Core Strategy (2011) (CS) set out the spatial development strategy for new housing development in the district. North Killingholme is identified as a 'Rural Settlement' in the CS settlement hierarchy. Saved Policy RD2 of the North Lincolnshire Local Plan (2003) (LP) supports infill development of an appropriate scale in these types of villages, however they are not considered suitable for accommodating a large allocation site.
9. Policies CS2, CS3 and CS8 of the CS support small scale development within the defined development limits of Rural Settlements to meet identified local needs. The appeal site adjoins but is outside of the development limit of North Killingholme as set out on the Proposals Map of the Housing and Employment Land Allocations Development Plan Document (2016) (DPD) and therefore is considered as open countryside. Policy CS3 of the CS states that development outside of the defined boundaries will be restricted to that which is essential to the functioning of the countryside. The proposed development would not comprise the types of development which are supported through Policies CS2, CS3 and CS8 of the CS or RD2 of the LP and is therefore contrary to the development strategy for the area.
10. There are limited local facilities in North Killingholme, however the site is close to employment sites in North and South Killingholme as well as Immingham. Although there are more facilities in the village of South Killingholme and a footpath runs along much of this route, it is a 30 minute walk in one direction and therefore future residents would be heavily reliant on the use of the private car to access services and facilities especially when trying to meet their everyday needs.
11. The appeal site is located outside of the main built-up area of the village and this part of Clarkes Road has a spacious, open character. Despite there being development to the north and south, the form of development has the appearance of that of a transition between the village acting as a buffer to the wider countryside beyond. The open appearance of the appeal site therefore contributes positively to the rural character and setting of the village. The indicative layout plan shows that the proposal for 7 dwellings on the site would be a dense form of development, which would be at odds with the existing spacious development pattern of this part of the village and would erode its rural character. The amount of development proposed would fail to reflect the existing pattern of development in this part of the village.

12. I have been referred to an appeal decision pertaining to another site in North Killingholme² for the erection of 6 dwellings. In this case the Inspector also raised concerns in relation to the impact of the density of the proposed development on the spacious and rural character of the village. The appellant has also referred me to an appeal at Epworth Road³ in a different local planning authority area, however, in this appeal the site contained large areas of hardstanding and farm buildings and therefore is not directly comparable to this case on a greenfield site. In any event I have considered the case on its individual merits.
13. For the reasons set out above, the location and land use would, in principle be unacceptable. The development would be contrary to Policies RD2, H5 and DS1 of the LP and Policies CS2, CS3, CS5 and CS8 of the CS, which, taken together seek to ensure that new housing development is directed towards sustainable locations, which take account of existing density and layout and enhances the character, appearance and setting of the immediate area.

Other Matters

14. I am aware that the appeal site is proximate to The Old Vicarage, a Grade II Listed Building⁴. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving its setting. The building is set within extensive grounds which are well screened from wider views by trees and would be further segregated from the proposed development by the remaining paddock land and adjoining agricultural land. I am therefore satisfied that a scheme could be achieved that would preserve the setting and not harm the significance of this designated heritage asset. I note that the Council did not raise any concerns in this regard.
15. Whilst concerns have been raised by local residents with regard to highways safety, drainage and waste collections, these are all matters that would be addressed at the Technical Details Consent Stage.

Planning Balance and Conclusion

16. The main parties agree that the Council does not have a five-year housing land supply, albeit this is marginal. In these circumstances footnote 8 and paragraph 11d)ii of the Framework explain 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. There is clear conflict with the objectives of the spatial strategy under Policies CS2, CS3 and CS8 of the CS and Policy RD2 of the LP as the site lies outside of a defined development limit and would be heavily reliant on the private car, which weighs against the proposal. I have also found that the proposal would harm the character and appearance of the site and surrounding area and therefore would conflict with Policy CS5 of the CS and Policies H5 and DS1 of the LP. Taken together, I attach significant weight to these conflicts.
18. The policies in the Framework seek to significantly boost the supply of homes. The proposal would provide up to 7 additional dwellings which would make a small

² APP/H1840/W/24/3337635

³ APP/Y2003/W/24/3351595

⁴ List Entry 1214966

contribution towards the provision of housing. There are also services and facilities in the nearby village of South Killingholme which future occupiers may support. I give moderate weight to these benefits.

19. Drawing the above points together, I find that the harm arising from the conflicts with the development plan significantly and demonstrably outweigh 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.
20. For the reasons outlined above, having regard to the development plan, as well as the Framework as a whole and all other matters raised, I conclude that the appeal should be dismissed.

C Skelly

INSPECTOR