



Appeal Decision

Site visit made on 4 November 2025

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/E2530/W/25/3372630

9 Pinfold Road, Castle Bytham, Lincolnshire NG33 4RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mrs P Gibson against South Kesteven District Council.
 - The application Ref is S25/0449.
 - The development proposed is erection of a detached dwelling with associated hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the consideration of the application the appellant submitted revised plans. I have therefore dealt with the appeal based on the amended plans dated May 2025.
3. Because the appeal site lies in the Castle Bytham Conservation Area (CA), I have had special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).

Background and Main Issues

4. The appeal relates to a planning application that was not determined by the Council within the prescribed period. I note that the Council would have refused planning permission should it have made a decision on the proposal. I have had regard to the parties' submissions in establishing the main issues which I set out below.
5. The Council considers that the scheme does not give rise to significant material impacts upon the occupiers of neighbouring dwellings, highway safety and open space. Whilst the Council raised concerns in relation to the impact of the proposal on trees, it considered that this could be dealt with appropriately through conditions. However, the Council considers that the appeal site is outside of the main built-up part of the village and therefore is not a suitable location for housing development and that the scheme would harm the character and appearance of the site and surrounding area, including the CA.
6. Having regard to the above the main issues are:

- the effect of the proposal on the character and appearance of the site and surrounding area including the CA within which the site lies; and
- whether the site is a suitable location for housing having regard to the development strategy for the area.

Reasons

7. The appeal site is a grassed paddock located to the rear of two-storey dwellings along Pinfold Road. The land drops downwards from Pinfold Road towards Water Lane and a Public Right of Way (PROW) runs through the site. To the west of the site is the detached dwelling known as the Bunker, which was granted permission in open countryside under Paragraph 55 of the National Planning Policy Framework (2012) on account of its design, which is accessed via Water Lane. I observed that from within the appeal site the only visual evidence of this property is the boundary hedge and glimpses of its ground mounted solar panels. The southern and eastern sides of the wider paddock area are bounded by the rear of dwellings, associated outbuildings of varying height and boundary treatments, which together provide a strong visual edge to the village. The paddock forms part of a group of fields which form a green wedge separating the village from the wider undulating countryside beyond.

Conservation Area

8. The CA encompasses the historic core of the village and modern peripheral housing developments. Its significance is architectural and historic derived from its importance as a settlement dating back to the prehistoric era. The appeal site forms part of a paddock, which the Castle Bytham Conservation Area Appraisal (2010) states forms a buffer between the village and wider landscape. As the appeal site forms part of this buffer and retains its open appearance, it contributes positively to the character and appearance of the CA.
9. Although the appellant contends that the Bunker introduces a developed element to the west, from within the paddock there is little visual evidence of its built form, and the appeal site retains a semi-rural character. Development along Pinfold Road is generally linear in form and the proposed dwelling would significantly extend the built form into an open, natural area. Despite the partially sunken design, it would have a large footprint in comparison to the dwellings along Pinfold Road. This, in combination with the L shaped design, would not respond appropriately to the established pattern of linear development.
10. Whilst the built form of the dwelling would be seen against the backdrop of the village from some longer distance views, it would sit to the rear of the existing building line of Pinfold Road. Given its elevated position it would be a prominent addition when viewed along the PROW and in proximity to the site from Water Lane. Furthermore, the proposal would erode the open character of the paddock and the contribution it makes to the buffer between the village and the countryside landscape. The amended plans include the planting of a row of semi evergreen trees along the northern boundary of the plot. Whilst this over time would screen the development from wider views it would erode the open character of the paddock, which form part of the buffer and contributes positively to the character and appearance of the CA.

11. For the reasons outlined above the proposed development would fail to preserve or enhance the character and appearance of the CA.

Heritage Balance

12. The proposal would harm the character and appearance of the site and surrounding area which contributes positively to the CA. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (2024) (the Framework) states that where harm is identified to the significance of designated heritage assets and their setting, it should be weighed against the public benefits of the proposal.
13. The Council has approximately 4.06 years housing land supply. The provision of a single dwelling would make a minor, but nevertheless important contribution to this undersupply, which weighs in favour of the scheme. There would also be some economic benefits during the construction phase and the associated increase in activity in the supply chain. Given the scale of the works the public benefits accruing from this would be limited.
14. Taken overall, I attribute modest weight to the public benefits of the proposal, which is insufficient to outweigh the less than substantial harm to the CA. Given this and the above, I conclude that the proposal would fail to satisfy the requirements of the LBCAA, paragraph 212 of the Framework and conflicts with Policies DE1 and EN6 of the South Kesteven District Council Local Plan 2011-2036 (2020) (LP). Together, these policies amongst other things seek to ensure that development proposals make a positive contribution to local distinctiveness, does not have adverse impact on the settlement pattern or the landscape and protects and enhances heritage assets.

Suitable location

15. The appeal site lies in Castle Bytham which is defined as a Smaller Village in the Settlement Hierarchy in Policy SP2 of the LP. In Smaller Villages, development will be supported in accordance with Policy SP3, where it is infill development or in accordance with Policy SP4 where it is for a proposal on the edge of a settlement.
16. As I have already outlined, although the access gates and driveway of the Bunker can be seen from Water Lane, this dwelling has limited visual built form at ground level from within the appeal site itself. The proposed dwelling would therefore extend the visual built form further into the paddock area, beyond that of the existing settlement pattern and thereby would not constitute development within the main part of the settlement or a substantially built-up frontage. Accordingly, Policy SP3 is not a relevant policy in the determination of this appeal.
17. Part a) of Policy SP4 requires that proposals must demonstrate clear evidence of substantial support from the local community through an appropriate, thorough and proportionate pre-application community consultation exercise. I have no evidence that public consultation has taken place or of any subsequent outcomes. As the site is adjacent to the existing pattern of development it would comply with part c) of this policy. However, as I have found that the proposed development would not respond well to the existing pattern of development and would fail to preserve or enhance the character or appearance of the CA, it would conflict with parts b) and d) of this policy, which require that development is appropriate in size/scale, layout

and character to the setting and appropriate to the heritage characteristics of the area. Part e) of Policy SP4 also requires that in the case of housing development, proposals should meet a proven local need for housing and seek to address a specific targeted need for local market housing. The appellant has not submitted any specific evidence on how the proposal would meet local housing need. However, as the Council are unable to demonstrate a 5-year supply of housing land the proposal would comply with Part e) of Policy SP4 in this respect. I have no evidence that the proposal would not enable the delivery of essential infrastructure as required by part f). Overall, for these reasons I conclude that the proposed development would conflict with Policy SP4.

18. The appellant has referred me to the appeal at 22 the Green, Thurlby, however in this case the Inspector concluded that the proposal would not extend the pattern of development beyond the existing built form. I have also been referred to planning permissions granted at Church View, Braceborough; Land at Pickworth Grange, Pickworth; Land adjoining Christ Church and 26 Cloven Ends, Langtoft. I have not been provided with all the details which led to permissions on these sites. Whilst I can see there are some broad similarities there are notable differences in that in each of these cases the proposal was not considered to extend the pattern of development beyond the built form. As I have found that this would not be the case in this appeal, these examples are not directly relevant. In any event I have dealt with the appeal based on the evidence before me.
19. I conclude that the proposed development would not be a suitable location for housing having regard to the development strategy for the area as it conflicts with Policy SP4 of the LP, which amongst other things requires that new development is supported by the local community and is appropriate to the landscape, environmental and heritage characteristics of the area.

Planning Balance and Conclusion

20. The proposal is not in a suitable location for new housing and would harm the character and appearance of the CA. This harm brings the scheme into conflict with the development plan.
21. The Framework is an important material consideration. It is common ground between the main parties that the Council cannot demonstrate a five-year supply of deliverable housing land. Where this is the case, the Framework advises planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the proposal. Designated Heritage Assets is such an area, and I have found the Framework provides a strong reason for refusing the proposal. Therefore, the presumption in favour of sustainable development does not apply in this case.
22. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework 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