
Appeal Decision

Site visit made on 18 November 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd December 2025

Appeal Ref: APP/Y2003/W/25/3372746

47 Swanbridge, Sandtoft Road, Westgate, Belton, North Lincolnshire DN9 1PH

- 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 Mr M Jenkinson against the decision of North Lincolnshire Council.
 - The application Ref is PA/2025/415.
 - The development proposed was originally described as outline planning for new self build, single residential dwelling land off Stockholes Turbary Belton.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for future consideration except for means of access. Appearance, landscaping, layout, and scale are reserved matters for future approval.
3. The first reason for refusal relates to flooding. Since the application was determined and the Flood Risk Assessment (FRA) was prepared, the Environment Agency (EA) has updated its flood mapping dataset. I therefore gave the main parties and the EA the opportunity to comment on this matter.
4. Following updates to the Flood Map for Planning, the site is now within Flood Zone 1. The EA has confirmed that the FRA is acceptable, and they have no objection to the application. For these reasons and considering the evidence before me, a sequential test is no longer required, and the proposal would be acceptable in terms of flood risk.

Main Issues

5. Taking the above matter into account, the main issues are:
 - Whether the proposal would be suitably located, having regard to access to local services and facilities as well as relevant development plan policies; and
 - The effect of the proposed development on the character of the historic landscape.

Reasons

Location

6. The site is outside the development limits of any settlement and is therefore located in the open countryside, as defined in the development plan. Development plan policies set out circumstances where permission would be granted for development in the countryside. None of these exceptions apply to the proposal before me.
7. There are facilities and services within walking distance of the site, for example The Wheatsheaf. It would also be possible to walk to other facilities, such as the post office, convenience store, filling station with shop, takeaway, doctors surgery and primary school. However, given the distance to these facilities and time it would take to walk, it is likely that future occupiers would be reliant on a private motor vehicle to access local services and facilities or travel to other settlements to meet their day-to-day needs.
8. Considering its scale, the proposed development may, to a very limited degree, support local services and facilities. However, no compelling evidence has been presented to demonstrate that it would maintain or enhance community vitality.
9. The proposal would be contrary to the development plan, which is the starting point for decision-making. It would undermine the Council's plan-led approach to development which seeks to locate new housing in the most sustainable locations. Moreover, the proposed development is likely to result in unsustainable travel patterns and a reliance on the use of a private vehicle to meet future occupiers' day-to-day needs.
10. For these reasons, the proposed development would not be suitably located, having regard to access to local services and facilities as well as relevant development plan policies. It therefore conflicts with Policy RD2 of the North Lincolnshire Local Plan (2003) (LP) and Policies CS2, CS3 and CS8 of the North Lincolnshire Local Development Framework: Core Strategy (2011) (CS). These collectively set out the spatial strategy for North Lincolnshire and aim to focus housing within settlement limits.
11. The proposal would also be at odds with paragraphs 82 and 83 of the National Planning Policy Framework (the Framework) which seek to promote sustainable development in rural areas, and state housing should be located where it will enhance or maintain the vitality of rural communities.

Character

12. The site is set back from the built frontage of Sandtoft Road and forms part of the garden of the host dwelling. The site is in an Area of Special Historic Landscape Interest of the Isle of Axholme (ASHLI). This area is locally designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle.
13. The site is also located within the historic early enclosed land (EEL) and the setting of Stockholes Turbary. This has been highlighted as the best preserved turbary smallholder allotment settlements in the Isle. The proposed plot is adjacent to one of the historic tracks that gave access to the fields and to Stockholes Turbary. The historic character of the EEL and Stockholes Turbary can be readily appreciated from the surrounding area.

14. Sandtoft Road and Westgate Road are primarily characterised by linear development. Dwellings are sited along the highway with access directly from the frontage road, and have long rear gardens (which in some cases include outbuildings). The open countryside of the ASHLI is located behind the dwellings.
15. The proposal would be seen against the backdrop of the built form of the existing village along Sandtoft Road. The site currently has natural, mature screening to the boundary. The dwelling could be designed to reflect the appearance of the existing properties within the street scene. Having said that, the introduction of a dwelling, set behind the host dwelling, would be at odds with the established pattern of development. The proposal would be out of keeping with the character of the area as it would not follow the linear form of development and would fail to reflect or enhance the character of the area.
16. The proposal would result in an intrusion of built development into the ASHLI which would result in an adverse character change and a detrimental impact on the setting and legibility of this valued historic landscape. Consequently, the proposal would adversely affect the character, appearance and setting of the historic landscape of the ASHLI. This includes the character of the EEL and Stockholes Turbary within the setting of the core historic landscape of Belton Field, as well as the historic roadside settlement form, that contribute to the character, setting and legibility of the historic landscape.
17. For these reasons, and in undertaking a balanced judgement, the proposed development would have an unacceptable effect on the character of the valued historic landscape. Therefore, it would conflict with Policies LC14, LC7, RD2, H5 and DS1 of the LP and Policies CS5 and CS6 of the CS. These collectively seek to ensure that development does not adversely affect the character, appearance or setting of the ASHLI, or any of its features, and proposals should reflect or enhance the character, appearance and setting of the immediate area.
18. The proposal would also be at odds with chapter 16 of the Framework which seeks to conserve and enhance the historic environment.

Other Matters

19. I recognise that the Framework supports self-build housing and the appellant is settled within the community and wishes to construct a self-build dwelling on land in their ownership. The proposal would enable family members to live and reside in the local area. Nevertheless, the other matters highlighted do not alter or outweigh the conclusions I have reached on the main issues set out above.

Planning Balance and Conclusion

20. The Council acknowledges that they cannot demonstrate a five-year housing land supply, and they have no policies regarding self and custom build housing. Given the Council's housing land supply position, paragraph 11(d) of the Framework is engaged.
21. Weight may still be afforded to policies depending on their consistency with the Framework. Paragraph 232 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Based on the evidence submitted, the overall aims of the most relevant policies are broadly consistent with the aims of the

Framework. There is nothing within the Framework to suggest that the policy requirements should be lessened on account of the shortfall in housing supply. In that context, I attach significant weight to the conflict with the development plan.

22. In considering paragraph 11(d)(ii) of the Framework, I must determine whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
23. For the reasons given above, the proposed development would not be suitably located having regard to access to local services and facilities as well as relevant development plan policies. Furthermore, the proposed development would have an unacceptable effect on the character of the valued historic landscape.
24. Given the scale of the development, the associated benefits would be limited and would not outweigh the conflict found. Consequently, the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
25. The proposal would be contrary to Policies CS2, CS3, CS5, CS6, and CS8 of the CS and Policies LC7, LC14, RD2, H5, and DS1 of the LP. I afford this conflict, with the relevant policies of the development plan, significant weight.
26. For the reasons given above, to conclude, the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal does not succeed.

L Wilson

INSPECTOR