



Appeal Decision

Site visit made on 10 March 2026

by R Gilbert BA (Hons) MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st May 2026

Appeal Ref: APP/Y2003/W/25/3376333

Land opposite The Reindeer Inn, Thorne Road, Sandtoft, North Lincolnshire DN8 5SZ

- 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 Reindeer Developments Ltd against the decision of North Lincolnshire Council.
 - The application Ref is PA/2025/376.
 - The development proposed is described as planning permission to erect 3 dwellings and form access from Spring Meadows residential development.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the development set out in the Council's Decision Notice reflects the fact that during the course of determination the number of proposed dwellings was reduced from four to three. I have determined the appeal on the basis of the revised scheme as described in the banner heading.
3. The Council have stated that the proposed development requires a planning obligation to secure leisure contributions to be entered into. The appellants have not provided an executed planning obligation but have indicated that the principle of the financial contribution is accepted and that, should the appeal be allowed, they would prefer to agree a suitably worded condition to secure the obligation. As I am dismissing the appeal, I have not considered this matter further.

Main Issues

4. The Council clarifies in the Planning Officer's Report that its concerns in terms of the impact on neighbouring dwellings is confined to the garden of 15 Vermuyden Villas. Therefore, the main issues are the effect of the proposed development on:
 - The character and appearance of the site and the surrounding area; and
 - The living conditions of the occupier of 15 Vermuyden Villas, with particular regard to privacy.

Reasons

Character and Appearance

5. The appeal site lies between a new housing estate and established residential development in Vermuyden Villas. The character of the area is residential in

nature, including houses under construction and significant groundworks. The site is situated in the centre of the estate with its southern boundary shared with 15 Vermuyden Villas (No.15) and its western boundary shared with a small building that serves as a pumping station. The site itself is undeveloped and covered in mounds of soil with a perimeter of concrete blocks and fence panels. The surrounding area is formed exclusively of brick-built two-storey dwellings arranged facing the street with gardens to the rear.

6. The layout of the proposed houses does not follow the established arrangement of buildings facing the street. Furthermore, the rear elevation of the dwelling at Plot 33 would be situated uncomfortably near to the boundary shared with the pumping station, resulting not only in a cramped layout, but an unconventional one, whereby the rear garden is divided into two small parts. Whilst the appeal site did not form part of the approved housing development under construction, the appeal scheme would form an integral part of the wider street scene. In that context, given their cramped and unconventional layout, the proposed houses would not make a positive contribution to the street scene and would not reflect or enhance the character of the area.
7. The design of the dwellings would reflect the scale and external materials of the surrounding housing estate and would provide termination of views from the highway turning head. Adequate provision is also made for parking and soft landscaping. Nonetheless, these positive factors do not outweigh the harm that would arise as a result of the proposal's cramped layout and poor relationship with the street.
8. For the reasons set out above, the proposed development would be harmful to the character and appearance of the site and the surrounding area. As the dwellings would have a cramped and poorly arranged layout, the magnitude of harm would be significant within the streetscene. Therefore, the development is in conflict with Saved Policies RD2, DS1, H5, and H8 of the North Lincolnshire Local Plan 2003 (NLLP), as well as Policy CS5 of the North Lincolnshire Core Strategy 2011 (NLCS) which, together, seek to ensure new development is well designed and appropriate for its context.

Living Conditions

9. Plot 32 would be positioned centrally within the appeal site and set at a perpendicular angle so that its rear elevation faces towards the side boundary shared with No.15. Ground levels have been raised so that the appeal site sits at a higher level than the pumping station as well as the dwelling and garden comprising No.15. Despite this, the fence forming the shared boundary has been erected at the original ground level.
10. The distance proposed between the rear elevation and boundary of Plot 32 would be typical of distances found at other properties across the residential estate. However, the level difference between the proposed dwelling and No.15 would be substantial. From first floor rear windows, the elevated position of Plot 32 would establish enhanced views across the private garden space of No.15 in a non-mutual side-on arrangement, the result being that the occupier of No.15 would incur diminished privacy to the detriment of their living conditions.
11. As the boundary fence has been erected at the original ground level, the raised land reduces the height of the fence from within the appeal site. This effect,

alongside the level difference itself, indicates that the fence would not establish effective screening to prevent a harmful loss of privacy for those who reside at No.15. Moreover, no similar level difference, or side-on relationship, are found elsewhere on the new-build estate, including between plots 18, 19 and 24.

12. The bedrooms at Plot 32 may not result in constant observation of the garden of No.15. Nevertheless, their presence would enable overlooking and observation which, combined with their elevated and non-mutual position, would result in a harmful level of privacy loss.
13. For the reasons set out above, the proposed development would have a detrimental effect on the living conditions of the occupier of 15 Vermuyden Villas, with particular regard to privacy. Given the land levels and position of windows relative to the boundary shared with No.15, the extent of harm would be significant. Consequently, the development is in conflict with Saved Policies RD2, DS1, H5 and H8 of the NLLP which seek to ensure that development does not result in overlooking or a loss of privacy to existing developments.

Planning Balance

14. The appeal proposal would harm the character and appearance of the site and the surrounding area and cause a loss of privacy to the occupier of 15 Vermuyden Villas. I have judged the magnitude of these harms as significant.
15. The NLLP and NLCS date from 2003 and 2011, respectively. However, the weight to be attached to them does not hinge on their age. The National Planning Policy Framework (the Framework) makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. According to the Framework, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also requires development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, with the Framework also stating that development should provide a high standard of amenity for existing users. Therefore, the conflict between the proposal and Saved Policies RD2, DS1, H5, and H8 of the NLLP, as well as Policy CS5 of the NLCS, should be given significant weight in this appeal.
16. The Council has confirmed that it cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that the policies which are most important for determining the application are deemed out of date. Consequently, planning permission should be granted unless any adverse impact of doing so 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.
17. The Framework seeks to significantly boost the supply of homes and recognises the contribution that small sites can make to meeting the housing requirement for an area. However, three dwellings would make only a minimal contribution to the overall supply of housing. Similarly, despite the proposal being for development of a windfall site, it is located outside settlement limits therefore the benefit of its development does not attract great weight under the terms of paragraph 73(d) of the Framework. It is recognised that the development would bring some uplift to

the local economy from construction and the ongoing spend of future occupiers and it would also have a minor environmental benefit from opportunities for future garden planting. Likewise, it would also offer a social benefit in contributing residents to a community. However, individually and cumulatively, these benefits are modest and attract limited weight in the balancing exercise.

18. Consequently, the adverse impacts of the layout and arrangement of the proposal on the character of the site and surrounding area, as well as harm to the privacy of the living conditions of a neighbouring occupier, would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

19. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed

R. Gilbert

INSPECTOR