

## DEVELOPMENT MANAGEMENT

### APPEALS LIST - 18TH OCTOBER 2024

APPLICATION NUMBER & SITE ADDRESS	APPEAL REFERENCE & STATUS	OFFICER & PROCEDURE
DM/0046/22/TPO  24 Park Avenue Grimsby North East Lincolnshire DN32 0DQ	AP/020/22  INPROG	Paul Chaplin  Fast Track
DM/1070/22/OUT  3 Kingsfield Farm Main Road Barnoldby Le Beck North East Lincolnshire DN37 0SB	AP/007/24  INPROG	Bethany Loring  Written Representation
DM/1144/23/FUL  Land South Of Anita Grove Waltham North East Lincolnshire	AP/010/24  INPROG	Bethany Loring  Written Representation
DM/0250/24/FUL  204 Welholme Road Grimsby North East Lincolnshire DN32 9JB	AP/011/24  INPROG	Bethany Loring  Written Representation

DM/1182/23/OUT  R/O 92-108 Middlethorpe Road Cleethorpes North East Lincolnshire DN35 9PR	AP/012/24  INPROG	Emily Davidson  Written Representation
DM/0071/24/FUL  4 Beck Farm Mews Barnoldby Le Beck North East Lincolnshire DN37 0BH	AP/013/24  INPROG	Emily Davidson  Written Representation
DM/1088/23/PAT  Thorpe Park Holiday Camp Anthonys Bank Road Humberston North East Lincolnshire DN35 0PW	AP/015/24  INPROG	Bethany Loring  Written Representation
DM/0942/23/FUL  Scout Hut Waltham Road Grimsby North East Lincolnshire DN33 2LX	AP/016/24  INPROG	Jonathan Cadd  Written Representation

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# Appeal Decision

Site visit made on 8 October 2024 by L Clark MSc MRTPI

**Decision by John Morrison BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 OCTOBER 2024**

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**Appeal Ref: APP/B2002/W/24/3348117**

**4 Beck Farm Mews, Barnoldby le Beck, North East Lincolnshire DN37 0BH**

- 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 Miss Kate Bradshaw against the decision of North East Lincolnshire Council.
  - The application Ref is DM/0071/24/FUL.
  - The development proposed is the erection of a dwelling.
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## Decision

1. The appeal is dismissed.

## Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

## Preliminary Matter

3. The description above is taken from the application form removing the clarification that it is a resubmission of a previous scheme. The description on the decision notice is slightly different and includes roof lights and a juliet balcony to the rear. However, this has not changed anything fundamental nor prejudiced the ability of any party to make their case in respect of the appeal scheme.

## Main Issues

4. The main issues are a) the principle of the proposal with specific regard to its location and b) its effect on the character and appearance of the area.

## Reasons for the Recommendation

### *Principle of Development*

5. The appeal site is outside of the settlement boundary as it is defined by the North East Lincolnshire Local Plan 2018 (LP). It is therefore, in planning terms, in the countryside where new housing is generally restricted to certain exceptions. Policy 5 of the LP sets out what types of development may be acceptable in the countryside. The appeal scheme does not sit squarely with any of them. The LP seeks, hierarchically and through Policy 3 specifically, to direct new development to settlements as a matter of principle in the interests of encouraging sustainable patterns thereof. Barnoldby le Beck is identified as a level 4 settlement. These offer very few services and amenities and poor

accessibility to higher level settlements. Infill may be appropriate, as might the conversion and re use of existing buildings. Further new development would be limited.

6. Whilst the appeal site is closely related to the built-up parts of Barnoldby le Beck as a village, it is not in it in development plan terms which is clear from the position of the settlement boundary relative thereto. The appeal scheme would deliver a single dwelling which could be argued to be very limited and commensurate with the villages size and limited service provision and it would be arguably no lesser locationally sustainable than a similar site just inside the settlement boundary. That said, this is an argument that could be used too often to justify the limited development of similar sites that abut the edges of this and other similar settlements. The cumulative effect of which could undermine the Council's spatial strategy for new development. In any case, the level of service provision within Barnoldby le Beck is reflected by Policy 3 referring to 'only limited infill' being allowed which the appeal scheme, given it would take place in an otherwise open, detached, and sizable grass field, could not be considered.
7. With this and the above in mind, the principle of the proposed development would not be acceptable. It would conflict with, in regard to this main issue, Policies 3 and 5 of the LP which seek to encourage sustainable patterns of development by limiting it to settlements, first that have good access to a range of services and, by association, restricting it in the countryside.

#### *Character and Appearance*

8. The appeal site is an open and undeveloped grass paddock type land parcel. It is located to the rear of the dwellings that form Beck Farm Mews. It is enclosed by post and rail fencing and there is substantial woodland to the north. Despite this, the openness of the site, its treatment and distinction from the built form of the village means it relates more to the rural and tranquil qualities of the countryside around it and, accordingly, contributes positively to its character and appearance.
9. The proposed development would extend the built form of the village into the countryside. The dwelling would not be closely tied to the rest of the village by virtue of an elongated access track and its extensive curtilage. As such, the proposal would unacceptably erode the prevailing and pleasant rurality of the area, and particularly the site's role as a transition between the edge of the village and the countryside beyond. The appeal scheme would therefore conflict with Policy 5 of the LP which, in regard to this main issue, is concerned with the distinctive open character and quality of the countryside, amongst other things.

#### **Other Matters**

10. The two dwellings developed to the east of the appeal site were granted planning permission prior to the current development plan. The evidence suggests that the settlement boundary has also been amended to accommodate them. The scheme to the west that forms Kings Chase appears to be historic and contained within the settlement. I appreciate that a previous scheme on the appeal site was recommended for approval to planning committee but at a time when the Council was unable to demonstrate the supply of housing sites as required by the National Planning Policy Framework

2023 (the Framework). There are thus key differences in terms of planning merits and national and local policy positions which set the appeal scheme aside from these examples. I would therefore afford them limited weight.

11. In terms of the Council's current housing land supply position, there is insufficient compelling evidence to the contrary that would make me doubt the Council's statements in this regard. There is thus no reason why I would turn to the circumstances of paragraph 11 of the Framework for the purposes of the appeal scheme. Even if I did, for this or other reasons, it would be difficult to reconcile an argument to suggest that the appeal scheme would be so beneficial, given its scale, that it would be sufficient to outweigh (in paragraph 11's terms) the clear harm to the character and appearance of the area, in the event that I were to lessen the weight I would attach to the conflict with policies that might be out of date.
12. The appellant also referred to another appeal that relates to significantly more dwellings than the appeal proposal in Humberston, but given the location, circumstances and the size of the scheme, I am unable to make a comparative assessment.

### **Conclusion and Recommendation**

13. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations, including the approach of the Framework, to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

*L Clark*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*John Morrison*

INSPECTOR