

DEVELOPMENT MANAGEMENT

APPEALS LIST - 28th June 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/1098/22/OUT Land South Of Millennium Park Humberston Avenue Humberston North East Lincolnshire	AP/020/23 INPROG	Jonathan Cadd Written Representation
DM/0815/22/REM Land Field Head Road Laceby North East Lincolnshire DN37 7SS	AP/005/24 INPROG	Lauren Birkwood Informal Hearing
DM/0470/23/OUT Land Field Head Road Laceby North East Lincolnshire DN37 7SS	AP/006/24 INPROG	Lauren Birkwood Informal Hearing

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/1011/23/FUL 162 Yarborough Road Grimsby North East Lincolnshire DN34 4DN	AP/009/24 INPROG	Owen Toop Written Representation
DM/1144/23/FUL Land South Of Anita Grove Waltham North East Lincolnshire	AP/010/24 INPROG	Bethany Loring Written Representation

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Appeal Decision

Site visit made on 25 April 2024

by K Mansell BA (Hons) MPhil TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31.05.2024

Appeal Ref: APP/B2002/Z/23/3333691

2 Pinfold Lane, Scartho, Grimsby, North East Lincolnshire DN33 2EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs C Watts against the decision of North East Lincolnshire Council.
 - The application Ref DM/0686/23/FUL, dated 14 July 2023, was refused by notice dated 11 September 2023.
 - The development proposed is installation of replacement shopfront.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 20 December 2023, the Government published an updated version of the National Planning Policy Framework (the Framework). In relation to the main issue in this appeal, Government policy has not materially changed. Therefore, I have not sought the parties' comment upon the updated Framework, but neither party has been prejudiced by my having regard to it.

Main Issue

3. The main issue is the effect of the proposal on the character or appearance of the Scartho Conservation Area (SCA).

Reasons

4. The appeal property at 2 Pinfold Lane lies at one end of a small terrace comprising four commercial premises on the ground floor with accommodation above. At street level, each unit has a glazed shopfront of varying proportions and styles, being principally constructed in wood or aluminium, as well as assorted adverts and shutter boxes. Along with other ground floor premises in the vicinity, including those on Pinfold Lane, Waltham Road and Louth Road, these units form part of the Scartho Road Local Centre. The appeal property at No 2 also lies within the SCA where s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
5. Scartho was historically a discrete village settlement. It is now enveloped within the wider urban area of Grimsby. However, from my observations on site, Scartho retains the sense of being a local neighbourhood. Whilst surrounded by housing of varying styles and forms, at its core are the various small parades of shops within

the local centre, including No 2. These are typified by shopfronts largely constructed from traditional materials at street level, the appearance and function of which contribute positively to the character and appearance of the SCA as a whole, and thus its special interest and significance.

6. The existing shopfront to No 2 has three expanses of glass divided by timber mullions, with a timber glazed entrance door to its left side. The appeal scheme would replace this with a uPVC shopfront and door. The vertical tongue and groove cladding below the glazing would be retained. Whilst the original mosaic tiled stallriser and fascia to No 2 is no longer visible, replaced by an earlier timber shopfront that was put in prior to the present one, the existing timber framed shopfront nonetheless has a reasonably slender frame profile to the mullions. Along with the timber door, it retains a natural and traditional finish. It is also reasonably consistent with the shopfronts of immediate neighbouring properties at ground floor level, which I observed to have mainly timber doors and typically slim framing to their ground floor windows.
7. The Council contend that uPVC frames are usually wider to achieve the same strength as timber, and lack the slimmer profile achievable with wood. In the absence of any evidence to the contrary, such as large-scale details, I have no reason to disagree. Furthermore, compared to wood, uPVC typically has a more uniform appearance. The introduction of uPVC to the door and shopfront of No 2 would consequently appear as a modern insertion to the frontage and conspicuous as a result, particularly given the prominent location of the site close to the junction of Pinfold Lane with Louth Road. It would be sufficiently noticeable at street level to constitute harm to the character and appearance of the building and therefore, to the SCA.
8. The appellant has drawn my attention to recent approvals for replacement uPVC and aluminium shopfronts, doors and windows to 35, 42 and 46 Louth Road. However, I have not been provided with the details of these planning permissions, nor their history. Consequently, I cannot be certain as to what these schemes were replacing or the other detailed considerations that applied in those cases. In any event, I must determine this appeal on its own individual merits having regard to the particular characteristics of the appeal site. I recognise that the first floor to No 2 has uPVC windows to which the appeal scheme would reasonably relate in their design. They are also evident on the upper floors to other units within the terrace and to surrounding residential houses. Nevertheless, these are not at street level within a retail parade where the use of uPVC is not widespread nor evident on those shopfronts within the immediate vicinity. The introduction of a uPVC shopfront within this context would appear incongruous and would fail to make a positive contribution to the SCA.
9. For these reasons, I consider that the proposal would fail to preserve or enhance the character or appearance of the SCA. Given its modest scale, in the terms of the Framework, I am satisfied that the harm to the significance of the SCA as a whole would be less than substantial. Having regard to Paragraph 208 of the Framework, such harm should then be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
10. I appreciate the appellant's assertion that a uPVC shopfront would be a more thermally efficient and longer lasting installation than timber, which may also overcome existing issues with condensation and damp as a result of the presently

single glazed shopfront. However, I have no substantive evidence before me to demonstrate that a uPVC shopfront would noticeably outperform a well installed and maintained timber shopfront. Accordingly, I attribute very limited weight to this potential benefit. Whilst uPVC may also offer a lower maintenance solution in comparison to wood, this would be a private benefit rather than a public one. I am also mindful that paragraphs 205 and 206 of the Framework advise that great weight should be given to the conservation of a designated heritage asset and any harm to its significance should require clear and convincing justification. When taken together, the very limited public benefits that I have identified would not amount to that and consequently, they would not outweigh the less than substantial harm to the significance of the SCA that I have identified.

11. I therefore conclude that the proposal would have a harmful impact on the character and appearance of the SCA, which, it follows, would not be preserved or enhanced. Accordingly, it would conflict with the Act and be contrary to Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). These policies require, amongst other matters, that development proposals have regard to areas of heritage and more specifically, to protect the significance of heritage assets through consideration of design and materials, to at least conserve townscape features, and preserve and enhance the special character and architectural appearance of Conservation Areas. It would also conflict with guidance at Sections 12 and 16 of the Framework, which generally promote the importance of good design and the conservation and enhancement of the historic environment.

Conclusion

12. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

K Mansell

INSPECTOR



Appeal Decision

Site visit made on 14 February 2024

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 May 2024

Appeal Ref: APP/B2002/W/23/3321293

The Barns, Killingholme Road, Habrough, DN40 3BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Whetton against the decision of North East Lincolnshire Council.
 - The application Ref DM/0795/22/FUL, dated 5 September 2022, was refused by notice dated 31 October 2022.
 - The development proposed is Change of use from barn and stable buildings to four residential dwellings with associated works.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The site falls partially within an allocated traveller site which also includes land to the east bounding Killingholme Road. Furthermore, the site benefits from consent¹ for the siting of 4 residential caravan/mobile home pitches, I note this is a personal permission for the appellant's family. It is not at dispute between the parties that the appeal scheme would not be a significant impact on Gypsy Traveller accommodation provision and this is not a reason for refusal of the application and based on the evidence before me I find no substantive reason to conclude otherwise.
3. I note that the stables and barn subject of this appeal was granted planning permission subject to a condition restricting their use to "private and domestic purposes".
4. At the time of determining the planning application to which this appeal relates, the Council acknowledged that it could not demonstrate a 5-year supply of housing land. However, the Council now states that their housing land supply position has changed, such that the council can now demonstrate² 13.1 years of housing land and based on the evidence before me I find no substantive reason to conclude otherwise.
5. The appellant has submitted amended plans with the appeal, detailing the addition of roof windows to serve two bedrooms in response to comments in the planning officer's report and a landscaping plan. I am satisfied that no party would be disadvantaged by my consideration of these plans.

¹ DM/0362/15/FUL

² North East Lincolnshire Five Year Housing Land Supply Assessment 2023 (April 2023)

6. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The parts of the Framework most relevant to the appeal have not substantively changed from the previous iteration. Consequently, this update to national policy does not fundamentally alter the main parties' cases or prejudice their position at appeal, and it is not necessary to seek further comments. References hereafter in the decision to the Framework are to the December 2023 version.
7. The main issues are:
 - i. Whether or not the appeal site is a suitable location for the proposed development with regards the Council's spatial development strategy.
 - ii. The effect of the appeal scheme on the character and appearance of the area.
 - iii. Whether or not the appeal scheme would provide acceptable living conditions for the future occupiers.
 - iv. Whether or not the appeal scheme would harm highway safety with particular regards to the visibility splays and the number of vehicles accessing the site.

Reasons

Location

8. The relevant development plan is the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NEL LP). Policies 3, 4 and 5 are referred to in the first reason for refusal. Policy 3 refers to the hierarchy of settlements and, policy 4 to the distribution of new housing, seeking to focus development to existing settlements. The appeal site is located outside of the development boundaries, as detailed on the proposals map, is not located within an existing settlement and as such does not accord with Policies 3 and 4.
9. Policy 5 details that outside of the boundaries, development will be considered with regard to suitability and sustainability and furthermore details that, in the open countryside development will be supported where it meets various considerations. However, I have no substantive evidence before me to suggest that the appeal scheme meets any of the relevant considerations of policy 5.
10. The appellant refers to the Framework, paragraph 84, which relates to the acceptability of the development of isolated homes in the countryside and states that the appeal scheme meets "c) the development would re-use redundant or disused buildings and enhance its immediate setting".
11. The buildings, while completed relatively recently and only in use for their intended purpose for a short period of time are currently not in equestrian use and are described by the appellant as being disused. The appellant has also detailed that, for the families' purposes, the buildings are redundant as they no longer have a need for the equestrian use. At the site visit I saw that some informal storage was in evidence in the buildings.
12. Nonetheless, the buildings could still be used for their intended purpose, by others if not the appellant. While the use of the buildings may be redundant to the appellant as a result of a change in the family's circumstances, I have no substantive evidence before me to suggest that they have been rendered

redundant or disused through any other change such as time, animal husbandry standards, changes to machinery or changes in the wider equestrian sphere.

13. As such, on the basis of the evidence before me, I am not satisfied that it has been demonstrated that the buildings subject of this appeal are redundant or disused buildings for the purpose of paragraph 84 of the Framework. I will address the matter of whether or not the appeal scheme would enhance its immediate setting in the following main issue.
14. With regards the Council's spatial strategy I find that that the appeal scheme, being in the open countryside outside of a recognised settlement and outside of the development boundary and not meeting an exemption of a relevant policy, is not in accordance with policies 3, 4 and 5 of the NEL LP.

Character and appearance

15. The Council describes the existing buildings on the site as being "well maintained modern interpretations of traditional rural structures and sit comfortably within the rural landscape and its setting." My observations at the site visit confirmed that this is a fair description of the buildings subject of this appeal. The interior of the site appears largely as rough grass with little in the way of formal landscaping and little delineation between the appeal site and adjacent land.
16. The appeal scheme would result in the conversion of the properties to residential use with few significant alterations to the exterior of the buildings. However, the use and activity at the site would fundamentally change from domestic equestrian use, a use well related to the rural setting of the appeal site, to multiple domestic residential dwellings and the introduction of domestic paraphernalia such as garden furniture, bins and cars.
17. The site also has a personal permission for four traveller caravans to accommodate the applicant's family. I understand that this permission remains extant. On the basis of the evidence before me it appears that the implementation of the remaining three plots would conflict with the proposed landscaping scheme, likely subject of a condition. The implementation of this extant permission in combination with the appeal scheme would increase the development on the site and erode the rural character of the area.
18. The landscaping plan submitted by the appellant shows a pleasant site with screen planting to the western boundary, trees and wildflower rich grass to much of the site. Hedgerows are shown as creating and dividing domestic garden spaces for the proposed dwellings.
19. The character and appearance of the site is therefore changed from typically rural, if modern, rural structures undivided from the surrounding open grassland to a small residential enclave, subdivided and separated from the surrounding area. I find that this would harm the character and appearance of the area.
20. To the rear of the site there is an area used for the storage and construction of modular buildings. In support of the appeal proposals the appellant's Statement of Case details that the appellant is "content to agree to the removal of the storage of construction site office/ containers and related items, either

by condition, or a legal agreement, if required, which will substantially improve the character and appearance of the area.”

21. This land is outside of the appeal site as detailed on the submitted plans and no suggested condition or legal agreement to achieve this commitment is before me. Furthermore, it is apparent that, as stated by the Council, the use does not benefit from planning permission and I have no substantive evidence to the contrary. Accordingly, I afford this proposed undertaking no weight.
22. Returning to paragraph 84 of the Framework and the requirement for an enhancement of the immediate setting in the second part of criterion c). As detailed above, the appeal buildings, as they currently stand, are broadly in keeping with the character and appearance of the area and the appeal scheme, through the changes referred to above, would have a negative impact on the character and appearance of the area and thus would fail to enhance the immediate setting of the appeal scheme. Thus, the appeal scheme is not supported by the provisions of paragraph 84 of the Framework.
23. For these reasons I find that the appeal scheme would harm the character and appearance of the area contrary to policies 5 and 22 of the NEL LP that, amongst other matters, seek to ensure good design in keeping with the area.

Living conditions

24. The appeal site and adjacent land accommodate a variety of uses including Gypsy Traveller accommodation, both adjacent and within the site, the storage and construction of modular buildings and the proposed residential dwellings.
25. The Gypsy Traveller and proposed residential dwellings are fundamentally compatible uses given that their primary function is to provide living accommodation. Combined the resulting site would appear as a dense enclave but I have no substantive evidence before me to persuade me that the density or proximity of these uses would harm the living conditions of existing or future residents.
26. The construction of modular buildings takes place adjacent to the site, albeit seemingly without the benefit of planning permission. I have limited evidence as to the operation of the site and the likely effects on the living conditions of future occupiers. Nonetheless on the basis of the proximity of the uses and the vehicle movements detailed by the appellant it is reasonable to conclude that there will be some noise and disturbance resulting from the work and this would harm the living conditions of future occupiers of the barns.
27. Turning to the proposed conversion of the hay barn. The submitted plans show one bedroom entirely dependent upon a rooflight for all outlook and natural light and other bedrooms being served by a combination of small traditional windows and roof lights. Many of the windows shown on the submitted elevations are small and would afford future residents limited outlook and access to natural light. This would result in poor living conditions for the future occupiers.
28. The proposed conversion of the barn is shown on the submitted plans as being a dense block with living areas and dining rooms of different dwellings being located in close proximity to each other with future residents likely being afforded views into each other's properties, in particular through the ground

floor windows. This would result in a loss of privacy for residents and consequently poor living conditions.

29. For the reasons detailed above I find that the appeal scheme is contrary to policies 5 and 22 NEL LP in so far as they relate to the living conditions of future residents.

Highway safety

30. The appeal site is accessed from Killingholme Road at a single access point, shared with the land to the rear of the appeal site. I saw at the site visit that there are three other accesses on to Killingholme Road in proximity to the appeal site.
31. There is an objection from Council's Highway department, concerned with regards the lack of visibility and the use of the access by four residential dwellings. This objection has been maintained following the submission of additional evidence by the appellant in support of the appeal.
32. The key dispute between the parties is whether or not the standards detailed in the Manual for Streets (MfS) or The Design Manual for Roads and Bridges (DMRB) should be applied to the appeal scheme and therefore whether or not the visibility splays proposed by the appellant are sufficient to ensure that highway safety is achieved.
33. Manual for Streets 2 (MfS 2) sets out examples of how to apply the principles of MfS to existing streets, particularly those that are mixed use and busier than residential streets but are not part of the Strategic Road Network and as such is relevant to the consideration of the appeal scheme. Furthermore, I am aware that DMRB sets out higher and more stringent standards which generally apply to the design, assessment and operation of motorways and all-purpose trunk roads in the UK. In any event, MfS 2 states when referring to DMRB for guidance, it should be applied in a way that respects local context.
34. I note that the scope of MfS 2 is generally limited to 85th percentile speeds of 37mph and in respect of the appeal site that 85th percentile speeds of 53.5mph are detailed by the Council as being recorded. I have little quantitative evidence of traffic type and volume on the road in proximity to the appeal site, though I observed at the site visit that the road appear busy and included heavy goods vehicles.
35. The appellant has submitted a drawing showing visibility splays of 2.4m x 128m to the north and 2.4m x 147m to the south. The drawing also shows visibility splays of 2.4m x 143m to the north and 2.4m x 244m to the south.
36. The Council seeks visibility splays of 2.4m x 165m to the north based on stopping sight distance as set out in the DMRB, as opposed to MfS referred to by the appellant, based on the "recorded 53.5mph 85th percentile southbound approach speed"³.
37. With consideration to the speed of traffic passing the site and the nature of the road that I observed during the site visit, I am satisfied that in this instance the proposal falls outside the scope of MfS and the standards within the DMRB

³ Appendix 5 LPA statement of case

should be applied. As a result, the proposal's visibility splay would be deficient and vehicles leaving the site would represent a clear hazard to highway safety.

38. Furthermore, there is a dispute between the parties as to whether the sight lines are on land within the appellant's control and whether or not the hedgerow could therefore be maintained. The appellant appears to accept that it is outside of the appellant's control and would therefore be reliant on the Local Highway Authority to require the owner to maintain the hedge.
39. With regards to trip generation, the appellant has submitted details of vehicle movements onto and off the site as including 12 two way HGV movements per week, 2 two way LGV movements per day, 10 two-way car and LGV movements per day associated with various activities on site. Latterly the appellant details that, with reference to TRICS data, the appeal scheme is unlikely to result in "any significant net increase in vehicle trip generation"⁴.
40. However, it is apparent that the modular building use does not benefit from planning permission. Accordingly, I afford the vehicle movements associated with this use no weight. As a result, I find that it has not been demonstrated that the appeal scheme would lead to a reduction in vehicle movements onto and off the site, indeed it is possible that the creation of four additional dwellings in lieu of the equestrian activity on the site would lead to an increase in vehicle movements.
41. Overall, I find that it has not been demonstrated that the development would provide safe access to the highway. The appeal scheme would therefore be contrary to Policies 5 and 36 of the NEL LP in so far as they seek to ensure development does not harm highway safety.

Other Matters

42. The appeal scheme would provide four additional dwellings from existing buildings to contribute to housing need in the area and I afford this some weight but it does not outweigh the harm I have previously identified.

Conclusion

43. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should not succeed.

Mr M Brooker

INSPECTOR

⁴ Highways & Transport Technical Note



Appeal Decision

Site visit made on 28 May 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2024

Appeal Ref: APP/B2002/W/23/3335631

Land to the south of The Georgian House, Main Road, Barnoldby Le Beck, Grimsby DN37 0AU

- 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 Mr M Barford against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0235/23/FUL.
 - The development proposed is erection of 3no. dwellings and alterations to existing vehicular and pedestrian access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst a revised version of the National Planning Policy Framework was published in December 2023 (the Framework), the sections relevant to this appeal remain unchanged. Therefore, the principles that apply to this decision remain the same.

Main Issue

3. The main issues are:
 - Whether the site represents an appropriate location having regard to the Council's settlement hierarchy;
 - The effect of the proposal on the character and appearance of the site and surrounding countryside.

Reasons

Appropriate location

4. The appeal site lies in Barnoldby le Beck which is defined as a Minor Rural Settlement in the settlement hierarchy in Policy 3 of the North East Lincolnshire Local Plan (2018) (the NELLP). This policy sets out the type of development which would be supported in each category of settlement and is based on an assessment of the level of accessibility for residents to a wide range of key services and amenities.
5. The appeal site is a long, thin area of scrubland located to the rear of the large, detached dwellings, known as The Georgian House and Lavender Barn. To the south of the site lies Kingsfield Ponds, a dwelling granted permission in open

countryside under Paragraph 55 of the National Planning Policy Framework (2012) on account of its design. Access is via a single track running between The Georgian House and Barnoldby House and through the appeal site providing access to Kingsfield Ponds, Park Cottage and rear access to Lavender Barn. A Public Right of Way (PROW) runs along the western side of the access and then crosses to the rear of Barnoldby House.

6. The proposal is for the erection of three individual designed properties of the same materials, being a mix of 2 storey, 1.5 storey and single storey on the plot closest to Lavender Barn. The access road would remain in the same location with the new dwellings sited on either side. The proposal also includes the provision of an attenuation pond and additional landscaping.
7. Policy 5 of the NELLP sets out the approach to new development located within and outside of the defined development boundary. The justification text to Policy 5 says that the nature and form of settlement edges has informed the process of defining development boundaries including key characteristics, views and distinctive features, visual space and sensitivity to change.
8. The appeal site is located outside of the development boundary as set out in the NELLP Policies Map and therefore is regarded as open countryside. Part 3 of Policy 5 says that development in such locations will be supported where it recognises the distinctive open character, landscape quality and role the area plays in providing individual settings for independent settlements and, in the case of new housing, will consist of affordable housing to meet specific local needs. As the proposed development is for open market dwellings it does not comply with requirements set out in Part 3 of Policy 5.
9. There currently are very few facilities in the village, which is reflected in its categorisation within the settlement hierarchy as a Minor Rural Settlement. Under Policy 3 of the NELLP, development in these villages is restricted to the limited infill, conversion and re-use of existing buildings. The appellant has referred to an on-demand bus service and school buses which collect and drop off pupils. However, I have no evidence before me that the level of services has significantly changed Barnoldby le Beck's role within the settlement hierarchy. Although Waltham has a greater range of facilities available, this is beyond the distance where the primary means of access would be on foot or by cycling.
10. I note the appellant's comments that the Council have approved several small-scale developments in recent years, however I do not have details on these proposals and have considered the appeal on its own merits.
11. The proposed development is outside the development limit of a Minor Rural Settlement and would not provide development which is considered suitable in this location having regard to the Council's settlement hierarchy. I thus conclude that the proposed development conflicts with Policies 3 and 5 of the NELLP in this regard and would undermine the Council's spatial strategy.

Character and appearance of site and the surrounding countryside

12. The local area is characterised predominantly by large, detached dwellings of differing styles. Many of the dwellings are located on very spacious plots, which are set back from the main road. There is no pavement on this part of Main Road, instead there are deep grass verges and this, alongside tree and hedge

planting, gives the village a verdant appearance. Although primarily linear in form, there is some depth to development in parts of the village.

13. The appeal site is located outside the main built-up area of the village and is separated from dwellings to the north by a mix of fencing, hedging and trees. To the south and east of the site there are trees and hedging which visually separates it from Park Cottage and Kingsfield Ponds. I noted from my site visit that these boundary treatments give the site a degree of visual containment.
14. Although there is another residential property to the south it's design as an exception dwelling in the open countryside means that the site does not have the appearance of an infill plot between built development. Rather, the site appears as a transition between the village and the openness of the wider countryside beyond, acting as a buffer, which provides a distinctive feature in the setting of the village.
15. The access track runs between the substantial plots associated with The Georgian House and Barnoldby House. As such the site does not read as a logical extension of the built form. As one proceeds along the access track the area changes from being part of the built form to being rural in character, this then extends into open countryside along the PROW. The proposed development would extend the built form of the village further into the countryside eroding the buffer and creating a hard developed edge which would harm the setting of the village, particularly when experienced from the PROW.
16. I conclude that the proposal would harm the role of the site as a transition between the main built-up part of the village, which is a distinctive feature in the setting of the village. It would therefore cause harm to the character and appearance of the village by virtue of its location outside of the development boundary and in open countryside. Hence, it is contrary to Policy 5 of the NELLP which recognises the distinctive open character, landscape quality and role that land beyond development boundaries plays in providing the individual setting of settlements.
17. The proposal is also contrary to the Framework which seeks to enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Planning Balance

18. Both parties have referenced recent appeal decisions and the weight which has been attributed to the supply of housing. Although the position has changed during the consideration of the planning application both parties accept that the Council are currently able to demonstrate a supply of specific deliverable sites sufficient to provide in excess of five years' worth of housing.
19. I acknowledge the proposal would support the Government's aim of significantly boosting the supply of homes, however the addition of three dwellings would make a small contribution to that supply. In addition, there would be temporary and ongoing economic benefits from the development, including the support for local services, but given the small number of dwellings proposed those benefits would be modest. I also recognise that the proposal would include soft and hard landscaping which could have some positive impact on the visual appearance of the site. However, the harm

identified to the Council's settlement hierarchy and character and appearance of the area would be of greater significance.

Conclusion

20. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR