



Appeal Decision

Site visit made on 14 November 2017

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd November 2017

Appeal Ref: APP/N2535/W/17/3181611

Land at Owmbly Road, Spridlington, Lincolnshire, LN8 2DD

- 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 R Lancaster and Mr A Burkitt against the decision of West Lindsey District Council.
 - The application Ref 135998, dated 22 March 2017, was refused by notice dated 1 June 2017.
 - The development proposed is the erection of a dwelling and detached garage and creation of vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposal would preserve or enhance the character or appearance of the Spridlington Conservation Area.

Reasons

3. The appeal site is at the northern end of Spridlington and is an area of open grassed land adjacent to Netherwood a detached dwelling. The appellants indicate that it is within the settlement boundary identified by the West Lindsey Local Plan First Review 2006. The site sits behind a wide highway verge which incorporates mature trees and is separated from it by a newly planted hedgerow. The strip of verge between the site and the road forms part of the village viewing area which is recognised as an Asset of Community Value¹. There is open countryside to the north and east and other buildings including Spridlington Hall (a Grade II Listed Building) to the west.
4. The site is within the Spridlington Conservation Area which covers much of the rural village and the fields immediately surrounding it. The appeal site and the other open fields nearby form part of the village's surrounding farming landscape and play a role in defining the character of the area, which is part of the Conservation Area's significance as a heritage asset. Open spaces and important views are identified in the Spridlington Conservation Area Appraisal (CAA). The linear open space on Owmbly Road appears on the 1775 Enclosure Map and is important to the historic form of the village as well as contributing significantly to the landscape character at this end of Spridlington.

¹ The Assets of Community Value provisions of the Localism Act 2011 came into force on 21 September 2012 alongside associated regulations SI 2012 No.2421 The Assets of Community Value (England) Regulations 2012.

5. The proposed house would be located on the southern edge of the existing field adjacent to Netherwood and would be set back from the road. Nevertheless, even though some open space would be retained to the north, the house and its curtilage would take up a good deal of the existing field. Although it is next to Netherwood and there are dwellings on the other side of the road, the site (along with the adjoining area to the north) relates closely to the wider open countryside to the east, rather than to the built up extent of the village. As a consequence, the proposal would introduce urbanising development that would detract from the site's currently rural appearance and undermine the open character of this part of the settlement. The CAA is clear that the open fields which surround the village have been included within the Conservation Area because of the important part they play in contributing to the setting of the village.
6. I accept that the proposal concerns a high quality dwelling of a traditional design that would generally retain the linear form of the settlement and reflect the pattern of development there, including the informal layout of the buildings. Nor would it undermine the marked contrast between the spacious landscaped layout along Owmbly Road and the tighter village form beyond which is identified in the CAA as important. Even so, it would unacceptably extend the built form of the village and lead to the creep of development along the east side of Owmbly Road. This would go beyond current edge of the built up area of Spridlington and into one of the open fields surrounding the village. The CAA recognises that it is the current lack of sprawl that is important in giving the village its identity.
7. The resultant intrusion of built development would be appreciated from Owmbly Road. This would be so despite the house's position set back from the road and behind the wide verge, the intervening trees there and the proposed introduction of a new frontage hedge. On approach from the north, I accept that the proposed house would be seen against the backdrop of the existing trees and hedging and in the context of Netherwood and its curtilage. However, it would still stand out as additional residential development on the edge of the village. On approach from the south, whilst it would be screened to some extent by Netherwood and would not be particularly prominent, the proposal would be readily visible in closer range views. It would also be evident in some longer range views from the countryside to the east. The CAA advises that Spridlington is located on slightly elevated land within a flat farming landscape and when viewed from a distance is defined by its trees rather than the built form.
8. Additionally, the proposed dwelling and its curtilage would be seen at rather close quarters from the village viewing area and would introduce residential development into the currently open field between it and the countryside to the east. In doing so, it would seriously impede the open and uninterrupted views currently afforded from the viewing area across the appeal site towards the Lincolnshire Wolds.
9. The house would be sited towards the southern edge of the appeal site and its access across the verge would be immediately adjacent to Netherwood's existing driveway which also crosses the verge. As such, I acknowledge that the proposal would not lead to any substantial incursion into the verge and would be located close to the existing development to the south. I also accept that views in a more north easterly direction towards the Wolds across the

remaining open land immediately to the north would be retained. Be that as it may, the proposal would still considerably lessen the extent of the open land over which important and valued views eastwards can currently be taken. This being so, it would undermine the practical extent and role of the viewing area which is listed as an Asset of Community Value and is clearly very important to the community.

10. Bringing matters together, in this overall context, the proposal would appear at odds with the character and appearance of the surrounding area, undermine the rural setting of the settlement, and curtail recognised important views out of the settlement towards the countryside. For these reasons, the proposal would seriously detract from the character and appearance of the area which is of significance to the area's heritage. Paragraph 131 of the National Planning Policy Framework (the Framework) indicates that the desirability of sustaining and enhancing the significance of heritage assets should be taken into account in determining planning applications. Whilst the proposal would lead to less than substantial harm to the significance of the Conservation Area (as described at paragraphs 133 and 134 of the Framework), the harm caused would be material.
11. I therefore conclude on the main issue that the proposal would be harmful to the character and appearance of the area, would fail to preserve or enhance the character or appearance of the Spridlington Conservation Area, and would adversely affect the significance of this designated heritage asset. This would be contrary to Policy LP2 of the Central Lincolnshire Local Plan (Local Plan) which identifies Spridlington as a small village which could accommodate small scale development of a limited nature in appropriate location. However, to qualify as an appropriate location the site, if developed, should retain the core shape and form of the settlement, not significantly harm the settlement's character and appearance, and not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.
12. It would conflict with Local Plan Policy LP4 which sets out the growth levels for the village and a sequential approach to development that gives priority to the development of brownfield land (both within and on the edge of settlements) before greenfield sites at the edge of the settlements such as the appeal site. It also requires these to be in appropriate locations which refer back to those described in Local Plan Policy LP2. The proposal would also undermine Local Plan Policy LP17 which states that proposals should take account of views into, out of and within development areas, and that schemes should be designed to preserve or enhance key local views and vistas.
13. The proposal would fail to support Local Plan Policy LP25 which requires proposals to protect, conserve and seek opportunities to enhance the historic environment and Local Plan Policy LP26 which requires development to achieve high quality sustainable design that contributes positively to local character, landscape and townscape and supports diversity, equality and access for all. However, I see no conflict with Local Plan Policy LP55 which is cited on the decision notice but relates to development in the countryside. Finally, I consider that the proposal would run contrary to the core planning principles of the Framework of preserving the significance of designated heritage assets and securing high quality design.

Other matters

14. The proposal would contribute to housing land supply and would help to sustain local services in the village and neighbouring settlements. Whilst these are public benefits of the proposal they would not be great given its limited scale for only a single dwelling and are insufficient to outweigh the harm I have identified. The Council raises no objections to the proposal in terms of its impact on the living conditions of nearby occupiers. The absence of harm in this regard counts neither for, nor against the proposal.
15. The Council is content that the proposal would cause no harm to the setting of Spridlington Hall to the west which is a Grade II Listed Building set within a Historic Park and Garden, and I see no reason to come to a different view on this matter. However this does not alter my findings in relation to the main issue in this case.
16. The Council does not argue that the proposal would conflict with the amount of development to be provided in small villages described in Local Plan Policy LP2 or with the in-principle levels of growth for the village set out in Local Plan Policy LP4. However, the proposal remains contrary to those policies when read as a whole as detailed above.
17. I have also had regard to the appellants' view that the proposal would comply with national policies for sustainable development. However, since the proposal would fail to contribute to protecting and enhancing our natural, built and historic environment it would not meet the environmental role of sustainability. Moreover, the proposal is contrary to the development plan, and it has not been put to me that this is absent, silent or that the relevant policies are out of date. As such, I do not regard the presumption in favour of sustainable development as set out at paragraph 14 of the Framework to apply in this case.

Conclusion

18. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR