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## Appeal Decision

Site visit made on 22 November 2018

by **D Guiver LLB (Hons) Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 28 December 2018

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### Appeal Ref: **APP/N2535/W/18/3210654**

### Former Brickworks, Land West of Brigg Road, Caistor

- 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 Mrs Heather Sugden against the decision of West Lindsey District Council.
  - The application Ref 137793, dated 15 May 2018, was refused by notice dated 16 August 2018.
  - The development proposed is conversion, alteration and extensions to existing barn structure to create one dwelling with outbuilding to contain stables and garage including installation of new access arrangement from Brigg Road.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

3. The appeal site is located in an open field some distance from the market town of Caistor, and therefore it is in the open countryside. The site is readily visible from Caistor Road as it passes a short distance to the east. Policy LP55 of the Central Lincolnshire Local Plan 2017 (the Local Plan) seeks to protect the character of the countryside by limiting the conversion of buildings for residential use to those having architectural merit that are worthy of retention but can no longer be used for the purposes for which they were built or last used, and which are capable of conversion with minimal alteration.
4. The glossary to the National Planning Policy Framework describes previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land. However, excluded from the definition is any land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
5. The field contains an extended, 'L-shaped' derelict red-brick barn. The site historically contained a number of additional buildings but these are now largely demolished and at the time of my site visit there was no physical evidence of other buildings to the north and northwest of the barn. Any buildings in this location have blended into the landscape with the last evidenced use sometime in the first decade of the 20<sup>th</sup> century.

6. The site has the benefit of a prior approval for conversion of the existing barn to a dwelling pursuant to Class Q, Part Three of Schedule Two to The Town and Country Planning (General Permitted Development) (England) Order 2015<sup>1</sup>. The site also benefits from planning permission for the repair and modest extension of the barn and the erection of an additional garage and stable block granted by me pursuant to an appeal against refusal<sup>2</sup>, which is yet to be implemented.
7. The proposal is described as conversion, alteration and extensions to the barn to create a dwelling, the erection of an additional garage and stable block and associated access works. However, while the proposed building on the site of the barn would appear to retain the bulk of the existing footprint it would also significantly increase the volume by the addition of first-floor accommodation. The proposed elevations bear little resemblance to the extant building and the scheme includes an additional large, two-storey element to the west connected to the main building by a circular extension. In addition, a large stable block and separate garage are proposed.
8. Given the agricultural use of the barn and the industrial use of the demolished buildings previously on site it is unclear whether they were within the same curtilage. In such a case the site, insofar as it pertains to the demolished buildings, would constitute undeveloped land. However, in any event the demolished buildings clearly cannot fall within the definition of those having architectural merit that are worthy of retention for the purposes of Policy LP55 of the Local Plan.
9. The proposed works over the footprint of the existing building would amount to a virtually complete rebuild rather than conversion and extension of the existing building. The large extension to the west of the existing barn and the proposed garage and stable blocks should be considered as wholly new buildings notwithstanding the structures that might have once occupied a similar space. The scheme therefore would introduce a significant built form into the open countryside which would have an unacceptable detrimental impact on the open character and appearance of the countryside.
10. While there is disagreement between the parties as to the extent of the overall proposed floor space compared to that approved under the extant prior approval<sup>1</sup> and planning permission<sup>2</sup>, it is clear that the first-floor accommodation at the barn, the western extension and the garage and stable blocks would be development far beyond conversion with minimal alteration. Therefore, the proposal would not accord with Policy LP55 of the Local Plan.

## **Conclusion**

11. For the reasons given and taking account of all other material considerations, I conclude that the appeal should be dismissed.

*D Guiver*

INSPECTOR

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<sup>1</sup> Application Ref 133604

<sup>2</sup> APP/N2535/W/18/319961