



Appeal Decision

Site visit made on 8 July 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 SEPTEMBER 2025

Appeal Ref: APP/N2535/W/25/3362566

The Cottage, Moortown Road, Nettleton, Market Rasen LN7 6HX

- 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 Darren Lince at Durable Systems Limited against the decision of West Lindsey District Council.
 - The application Ref is WL/2024/00280.
 - The development proposed is demolish an existing dwelling and erect a new dwelling with detached garage and enlarge the domestic curtilage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed replacement dwelling constitutes appropriate development or not in its rural setting, having regard to the size and scale of the proposal, its location within the plot and whether the proposal takes opportunities to reduce embodied carbon.

Reasons

3. The Cottage, Moortown Road (The Cottage) is in a predominantly rural area and outside of the developed footprint of a settlement. Although other isolated dwellings and built development were observed along Moortown Road, these cannot be readily seen within the context of The Cottage, which is an anomaly within its surrounding countryside setting.
4. Despite additions to the original property and being two-storey in height, it is modest in scale and sits comfortably within the confines of the existing residential plot. The dwelling occupies a prominent position that can be seen by passersby travelling in both directions along Moortown Road and its demolition and replacement therefore have the potential to affect this rural setting.
5. Policy S5 of the Central Lincolnshire Local Plan (2023) (the LP) relates to development within the countryside and seeks to ensure the rural character of the countryside is maintained. Part B of the policy states that the replacement of an existing dwelling outside the developed footprint of a settlement will be supported if it meets the requirements of sub-parts a) to f). There is contention between the parties regarding sub-parts d) to f).
6. Sub-part d) requires the replacement dwelling to be of a similar size and scale to the original dwelling; sub-part e) necessitates it to be located on the footprint of the original dwelling unless an alternative position within the existing residential

curtilage would provide notable benefits and have no adverse impact on the wider setting; and sub-part f) requires compliance with Policy S11 of the LP in relation to embodied carbon. Each is considered in turn below.

Size and scale

7. Whilst it is acknowledged that the proposal has decreased in size from previous iterations and the policy does not preclude the development of a larger replacement dwelling, the proposed dwelling would be approximately double that of the existing property and therefore cannot reasonably be described as similar in size or scale.
8. Two replacement dwelling cases have been cited by the appellant, at The Brackens¹ and Tudor Lodge², both located on Moortown Road.
9. Whilst the plans show that The Brackens is significantly greater in size and scale than the original dwelling and greater in terms of percentage uplift when compared against the current appeal proposal, The Brackens was located within the settlement at the time of approval. Despite also being located adjacent to the open countryside, it was considered against alternative planning policies and parameters to the current appeal proposal and is therefore not directly comparable.
10. Tudor Lodge appears to have been considered under a similar earlier policy to the current appeal proposal, which implies it was located outside of the settlement at the time the decision was made. However, the supporting report relating to Tudor Lodge states that the proposal was only slightly larger than the existing dwelling and garage, suggesting a 50% increase in size. Although the appellant has undertaken their own calculations and asserts the increase is much greater, and no officer report is before me, it is assumed that this more modest increase in size formed the basis and rationale for finding the proposal acceptable.
11. For these reasons, I am not convinced that these examples are directly comparable to the current appeal proposal.
12. Thus, I find that the proposed development is contrary to Policy S5 Part B sub-part d) of the LP.

Footprint

13. The plans demonstrate that the proposed replacement dwelling sits on the footprint of the existing dwelling and is therefore broadly in the same location on the site. There is no requirement within Policy S5 Part B sub-part e) requiring the exact existing footprint to be utilised.
14. Given that I have determined that the first provision of part e) has been complied with, there is no need to provide notable benefits or demonstrate, for the purposes of this part of the policy, that there are no adverse impacts on the wider setting by choosing an alternative position.
15. The proposed replacement dwelling sits partially outside of the footprint of the existing dwelling because of the significant increase in size and scale, a concern that has been addressed above.

¹ Council Ref 138847 granted approval in 2019.

² Council Ref 126195 granted approval in 2010.

16. I therefore find that the proposed development complies with Policy S5 Part B sub-part e) of the LP.

Embodied carbon

17. Policy S11 of the LP states that all developments should, where practicable and viable, take opportunities to reduce the development's embodied carbon content. To avoid the wastage of embodied carbons in existing buildings and avoid the creation of new embodied carbon in replacement buildings, there is a presumption against demolition. The policy sets out circumstances where demolition would be deemed satisfactory.
18. Despite the appellant asserting that the existing building is not energy efficient and does not meet the needs of modern living, it is habitable. Furthermore, there is no substantive and quantitative evidence before me to demonstrate that it is in a state of such disrepair that it is not practicable or viable to be repaired, refurbished, re-used or re-purposed.
19. A quantitative assessment of the existing dwelling's embodied carbon has not been provided as a baseline position. In the absence of this, it is not possible to assess the effect on embodied carbon arising from either the repair, refurbishment or re-use of the building or from its replacement and enlargement. I am therefore unable to reach a firm conclusion in this respect.
20. No public benefits to outweigh any carbon savings have been identified to justify the demolition of the building.
21. For the above reasons, I am not convinced that a thorough embodied carbon assessment has been undertaken or that there is substantial evidence to demonstrate that it would be unpracticable and unviable to take up opportunities to reduce the embodied carbon content of the proposed development, contrary to Policy S11, and in turn Policy S5 Part B sub-part f), of the LP.

Conclusion

22. For the above reasons, the proposal does not constitute appropriate development in its rural context with regards to size and scale and does not take up opportunities to reduce embodied carbon, contrary to Policies S1, S5 and S11 of the LP.

Other Matters

23. The existing property could be extended further under more general development plan policies or to a lesser extent under permitted development rights. However, no detailed evidence is before me to demonstrate what could be achieved under such mechanisms. In any case, the appellant confirms that such improvements would not lead to a development that meets their requirements and is therefore unlikely to be taken forward as a fallback position.
24. There are acknowledged benefits associated with the proposed replacement dwelling, including the rationalisation of domestic storage resulting in the removal of the various outbuildings, an overall reduction in hard surfacing across the site and improvements to the boundary treatments. However, I have found conflict with policies in the development plan, particularly in relation to size and scale, that are in place to protect the character and appearance of the countryside. These benefits

are limited in this context and do not outweigh the harm found. I therefore attribute limited weight to them.

Conclusion

25. The proposal conflicts with the development plan taken as a whole, and material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal is dismissed.

L Fern

INSPECTOR