
Appeal Decision

Site visit made on 26 October 2016

by Zoe Raygen Dip URP MRTPI

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

Decision date: 8th November 2016

Appeal Ref: APP/R2520/W/16/3153561

1 Wisteria Avenue, Branston, Lincoln Lincs LN4 1QB.

- 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 & Mrs York against the decision of North Kesteven District Council.
 - The application Ref 16/0308/FUL, dated 7 March 2016, was refused by notice dated 4 May 2016.
 - The development proposed is erection of single storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are firstly, the effect of the proposal on the character and appearance of the area and secondly the effect of the proposal on occupiers of surrounding residential properties and whether the proposal would provide satisfactory living conditions for future occupiers.

Reasons

Character and appearance

3. I previously visited the site with respect to appeal reference APP/R2520/W/15/3135932 on 25th January 2016. On my site visit for the current appeal I saw that there had been little change to both the appeal site and its surrounding area. Therefore, I rely on my description of the character and appearance of the area from the previous appeal which was also for a single storey dwelling on the appeal site.
 4. The appeal site forms the rear garden of 1 Wisteria Close, a bungalow sited within a modern housing estate dominated by bungalows of a variety of designs but all of a similar height on large plots. The rear gardens of properties within Wisteria Close back onto the rear gardens of a row of bungalows on Beech Road. As a result the garden space provides a degree of separation between the bungalows, which can be glimpsed through the gaps between the dwellings.
 5. I note that the size and height of the bungalow has been reduced from those proposed under the previous appeal. Furthermore, the window in the elevation facing the road would be re-sited to the rear elevation of the proposed
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- bungalow. As a result the scale, design and appearance of the proposal would be more akin to the existing bungalows in the surrounding area.
6. In order to address the issue regarding living conditions the bungalow would be sited close to the road forward of the building lines of the surrounding dwellings. No 1 together with properties on the opposite side of the road are set back with an established garden to the front (and side in the case of No1) creating an open appearance to the road. The appeal site has a high close boarded fence at the edge of the pavement which gives enclosure to the part of the street in which the appeal site is located. The proposed bungalow would be significantly higher and of a larger mass than the existing fence, giving it prominence in the street scene. Nonetheless, it would give the opportunity for the removal of the fence and the creation of a small area of garden to the front which would lead to a degree of openness.
 7. However, the size of the plot has not changed from the previous proposal. Therefore the situation regarding the resultant plot sizes has not changed. The subdivision of the garden would form a small plot for the new dwelling and result in a reduced plot size for No 1 both of which would be uncharacteristic of the size of plots in the vicinity.
 8. I acknowledge that compared to the plans the Council previously considered the length of the proposed bungalow has reduced, but, in my opinion not significantly so. Furthermore the width remains the same. Moreover the size is similar to that which I considered under revised plan 1001B in my determination of the previous appeal. Therefore I remain of the opinion that the submitted plan shows that the small size of the plot would result in a cramped and incongruous form of development in this location with little space available around both the new and host dwelling compared to those surrounding it. As a result it would be an obtrusive and incongruous form of development within the street scene.
 9. For the above reasons I conclude that the proposal would be harmful to the character and appearance of the area contrary to saved Policies C1 and C18 of the North Kesteven Local Plan 2007 and paragraphs 17, 60, 61 and 64 of the National Planning Policy Framework (the Framework) which require that development always achieves good quality design, does not adversely affect the character and appearance of the area and reinforces local identity.

Living conditions

10. I found on the previous appeal that the living conditions of the occupiers of No 1 would not be significantly impaired. Furthermore the proposed bungalow would provide acceptable living conditions for the proposed occupiers. In both cases this would be due to the retention of a small, but adequate, amount of private garden space.
11. The proposed siting of the bungalow on this appeal would lead to similar living conditions to the occupiers of No 1 and the future occupiers of the property. There are no changing circumstances that would lead me to reach a different conclusion on this matter.
12. I conclude therefore that the garden space would provide sufficient quality living conditions for the occupiers of No 1 and the future occupiers of the proposed dwelling in accordance paragraph 17 of the Framework which

requires that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

13. Although I have found that there would be no harm to the living conditions of existing and future occupiers this does not outweigh my significant concerns regarding the harm to the character and appearance of the area I have identified above.

Balancing and conclusion

14. In considering the potential benefits of the proposal, I note that the new dwelling would contribute to the Council's five year housing land supply as required by the Framework. However, a net increase of one dwelling would be a small contribution so I afford this benefit only limited weight.
15. In addition, the construction of the dwelling would derive some economic benefits but this would be for a limited time. Furthermore, given the small scale of the development, the contribution to the local economy from the spending power of future occupants is unlikely to be significant. I therefore give these benefits limited weight.
16. The proposed development would be significantly harmful to the character and appearance of the area contrary to both local and national planning policy. I therefore give this impact considerable weight.
17. I have considered the benefits which would be derived from the appeal scheme but these carry limited weight. I therefore conclude that the harmful impact of the proposal would significantly and demonstrably outweigh the limited benefits. The proposal would conflict with the Framework and Development Plan when taken as a whole and consequently the proposal is not sustainable development for which the Framework carries a presumption in favour. For this reason, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR