
Appeal Decision

Site visit made on 6 December 2016

by W Fabian BA Hons Dip Arch RIBA IHBC

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

Decision date: 20 December 2016

Appeal Ref: APP/M2515/W/16/3158670

Land to the rear of 2-6 Sewell's Walk, Lincoln, Lincolnshire LN5 7TF

- 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 P Lynch against the decision of Lincoln City Council.
 - The application Ref 2016/0091/F, dated 8 February 2016, was refused by notice dated 19 April 2016.
 - The development proposed is 1 No pair of semi-detached 2 bedroom houses.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the living conditions, in terms of outlook, for the adjacent residents at No 67 Smith Street and the future occupants of the proposed dwellings.

Reasons

3. The proposed pair of houses would be built on a vacant derelict site enclosed by high brick walls at the rear of traditional terraced properties fronting onto Sewell's Walk and High Street. It is reached via a narrow driveway at the terrace end, which provides access to the open rear yards of properties on High Street and also to a pair of lock-up garages, which are intended to provide parking for the proposal.
4. The site lies within the Gowts Bridge Conservation Area, where the decision taker has a duty to pay special regard to whether the proposal would preserve or enhance the character and appearance of the area. The Council does not object to the proposal on this basis and given the somewhat unkempt backland context of the site, I see little reason to disagree with their assessment.
5. However, the pair of two storey brick houses would be built so as to almost fill the plot, with only very minimal outdoor space to front and rear and a narrow 0.8m pathway down one side only. The southeastern rear corner of the proposed building would abut the existing boundary wall. In these circumstances, in such a confined urban setting, the two storey building proposed would result in an overbearing relationship to the surrounding houses. In particular the building would loom above the joint boundary wall with the small rear garden of the adjacent bungalow at No 67 Smith Street. A similar effect would occur for neighbouring residents using the rear gardens at

properties on Sewell Walk and, given the position of the appeal site to the south of them, it would also result in a loss of sunlight here; while this aspect is not determinative it adds to my concerns with regard to the harm identified in respect of No 67 Smith Street.

6. The limited outdoor space and existing high boundary wall would also result in a very constrained outlook from the proposed dwellings and lead to an unacceptable sense of enclosure for the future occupants.
7. These outcomes would be contrary to saved policy 34 of the City of Lincoln Local Plan, 1998, which seeks to ensure acceptable design and amenity standards for new buildings, with satisfactory physical and functional relationships to adjoining buildings. The policy states that the amenities of neighbouring occupants should not be harmed. Although dated, these policy aims accord with those of the Government's National Planning Policy Framework, which attaches great importance to the design of the built environment.
8. For the reasons set out above and taking into account all other matters raised I conclude that the proposal would harm the living conditions, in terms of outlook, for the adjacent residents at No 67 Smith Street and the future occupants of the proposed dwellings. The appeal should be dismissed.

Wenda Fabian

Inspector