

Appeal Decision

Site visit made on 24 January 2017

by A Jordan BA Hons MRTPI

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

Decision date: 2 February 2017

Appeal Ref: APP/E2530/W/16/3161888

The Rise, Lawson Leas, Barrowby, Grantham, NG32 1EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs L Clark against the decision of South Kesteven District Council.
 - The application Ref S16/1586, dated 29 June 2016, was refused by notice dated 23 September 2016.
 - The development proposed is erection of 2(no.) 4-bedroomed detached dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is made in outline form with approval sought for access and layout. Appearance, landscaping and scale are matters reserved for later approval.
3. I understand that the revised plan ref 1563 A002D and dated 15/09/16 was submitted to the Council before the application was determined. However, the Council have confirmed that the revised plan was not the subject of public consultation and that the application was determined on the basis of plan ref 1563 A002D dated 07/30/15. Therefore, although it would appear that the neighbouring occupier was aware of the revised plan, I have determined the appeal on the basis of the same plans on which the application was determined by the Council.

Main Issues

4. The main issues for the appeal are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of adjoining residential occupiers.

Reasons

Character and Appearance

5. The appeal site is an area of open grassed land which lies on a residential cul-de-sac within the village of Barrowby. Properties in the area vary in age and style and are arranged in an informal pattern, with differences in how they
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address the road and in the space available around them. However, all appear to sit comfortably within their plots, providing a varied and attractive streetscene. The site lies between 2 residential properties with part of the site lying at an elevated level above the adjoining property known as Greenwood.

6. The proposal comprises 2 detached dwellings, both of which would be built right up to the site boundary, and with minimal space provided between them. Although scale is not a matter for approval, the submitted design and access statement refers to 2 storey dwellings. Taking into account the proposed siting and the juxtaposition of the proposed dwellings with both Greenwood and The Rise, the extent of development proposed would occupy almost all of the site frontage. In this regard it would form an incongruously cramped development which would compare unfavourably with the more gently spaced dwellings around it.
7. I note that part of the building on plot 1 is proposed as single storey. Nevertheless, due to the very limited space between the existing and proposed dwellings this element would be insufficient to provide relief in the proposed frontage. As a result, in views into the site on the approach along Lawson Leas the proposal would be viewed as an overly intensive form of development which exceeds the capabilities of the plot to comfortably accommodate it and so would be harmful to the character and appearance of the area.
8. On the first matter I therefore conclude that the proposal would fail to take account of the existing quality and character of the built fabric and so would conflict with policy EN1 of the *Local Development Framework for South Kesteven* (Core Strategy) which seeks to ensure that new development takes account of local distinctiveness and sense of place. It would also conflict with guidance within the *National Planning Policy Framework* (the Framework) which seeks to resist proposals which fail to improve the character and quality of an area and the way it functions.

Living Conditions

9. The proposal would position the dwelling at plot 2 almost along the site boundary. Due to the length of the proposed dwelling, it's likely height as a 2 storey dwelling and its proximity to the adjoining garden and rear conservatory at Greenwood, the proposed dwelling would be likely to be perceived as an overbearing and unneighbourly presence when within the adjoining garden. The significant bulk of the adjoining dwelling would also be likely to have a detrimental impact on outlook within the rear conservatory. I take into account the overall size of the adjoining garden, which is relatively large, and that Greenwood is orientated away from the proposed Plot 2. I also note that the land level at the appeal site would be reduced. Nevertheless, the intrusive effects of the proposal would significantly diminish enjoyment of both the conservatory and a large proportion of the garden and so would be harmful to the living conditions currently enjoyed by adjoining residents.
10. On the second matter I therefore conclude that the proposal would fail to respect the living conditions of the occupiers of the adjoining residential property. It would therefore conflict with guidance within the Framework which seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

11. The proposal would provide 2 dwellings which the parties consider would be sustainably located. This is a matter which weighs in favour of the proposal in the planning balance. I also note the concerns of local residents in relation to highway safety. However, I have no convincing evidence before me that the proposal would lead to a significant increase in on-street parking pressure, or be detrimental to highway safety.
12. I am advised that the site already has planning permission for a single dwelling. This proposal is for 2 dwellings. As such, the approved scheme is materially different to the proposal before me. I also note that permission has recently been granted on land opposite adjacent to Ivy Cottage. However this permission does not alter the harm that would arise from the proposal before me. I am also advised that Council officers have previously recommended approval of a 2 house scheme at the site. However, the proposal was nonetheless refused by the Council, and as I have also found that the proposal would lead to harm, this matter does not alter my reasoning outlined above.

Conclusion

13. The proposal would be harmful to the character and appearance of the area, and would harm the living conditions of the adjoining residential occupier. I do not consider that the provision of 2 dwellings in a sustainable location would alter that harm. Therefore, for the reasons outlined above, and having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR