
Appeal Decision

Site visit made on 28 March 2017

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

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

Decision date: 6 April 2017

Appeal Ref: APP/N2535/W/16/3167737

Land at 23 Mill Hill, Nettleham, Lincoln LN2 2RJ

- 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 S Yarwood-Paintal against the decision of West Lindsey District Council.
 - The application Ref: 134975, dated 14 September 2016, was refused by notice dated 15 November 2016.
 - The development proposed is a proposed dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Mill Hill includes a variety of house types and designs dating from varying periods. However, one unifying feature is a general sense of relatively low density development with a good degree of spaciousness.
4. No. 23, the host property, is a modest bungalow, with a hipped roof design, situated within a good sized plot. In particular the side garden towards No. 25 is of sufficient width to accommodate a further dwelling and this was recognised by the grant of outline planning permission¹. However, that permission included a condition limiting the property to being of single storey. As a consequence the appeal scheme was a fresh full application because it relates to a taller property.
5. The appeal proposal seeks to build a property with two floors of accommodation, albeit the first floor rooms would be partly within the roof. As a result, the roof ridge height would be somewhere between that of the host bungalow and the two-storey house at No. 25.
6. However, unlike the properties at either side, the bulk of the dwelling would come close to the side boundaries and be of gable construction so that the overall appearance would be of an uncharacteristically large dwelling in relation to the plot width. It would also unacceptably dominate the modest property

¹ Planning Permission Ref: 133295

No.23 to which it would be in close proximity. The visual dominance would be exacerbated by some of the design features, including the central gable feature with its large first floor window, the use of materials with a mix of render and what appears from the plans to be random (uncoursed) stone, and the external flue pipe situated on the side of the house nearest to No. 25 which extends from ground floor to just below the ridge. These features would fail to respect the character of the dwellings to either side of the site with which they would be seen in the streetscene.

7. The proposed dwelling would also be relatively deep for the plot and in order to provide adequate garden space would utilise part of the garden to the rear of No.23. Whilst this on its own is not a determinative matter, it results in a plot at No.23 which is out of character with the general layout in this area and reinforces my view that the scheme amounts to uncharacteristic development for this location.
8. I have considered other dwellings in this streetscene as sought by the appellant in their appeal statement. This confirms there is a variety of house type and style in the locality. However, it does not alter my view that the proposal before me is unacceptable for this site because of the harm it would cause to the character and appearance of the streetscene in terms of its relationship with the adjoining properties and the cramped appearance it would create which, thereby, would harm the overall sense of spaciousness in this locality.
9. The proposal would fail to accord with West Lindsey Local Plan First Review (2006) (WLLP) saved Policy RES 1 which requires that developments are satisfactory with regard to the nature of the local environment in terms of siting, layout, scale, massing, materials, design and detailing.
10. It would also conflict with Policy D-6 of the Nettleham Neighbourhood Plan (NNP) (2015) which requires that infill development should reinforce local character with reference to height, spacing, features and building materials.
11. The Central Lincolnshire Local Plan is emerging but can only carry limited weight. However, in any event, the appeal proposal would conflict with Policy LP26 of that document which also seeks design that contributes positively to local character, relating well to the site and its surroundings.
12. It would also conflict with the National Planning Policy Framework (the Framework) which makes it clear that it is proper to seek to reinforce local distinctiveness, and explains that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Other Matters

13. It seems that there is disagreement about ownership of a strip of land at the rear of the property. However, there is no substantiated evidence to counter the appellant's claim that the land is theirs. In any event, land ownership disputes are a matter for civil law.

Conclusions

14. This dwelling could contribute to housing land supply here, where the Council cannot demonstrate a 5 year housing land supply. Moreover, there is no objection to the principle of development in this location. However, the details

of this scheme make it unacceptable. The proposal conflicts with the development plan (that is the WLLP and NNP) and the Framework. Thus, the adverse impact of allowing this proposal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, for the reasons set out above, this appeal is dismissed.

Zoë HR Hill

Inspector