
Appeal Decision

Site visit made on 3 April 2017

by Matthew Birkinshaw BA(Hons) Msc MRTPI

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

Decision date: 11th May 2017

Appeal Ref: APP/Y2003/D/17/3170193

28a Walcot Lodge, George Street, Broughton, Brigg, North Lincolnshire, DN20 0LA

- 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 Michael Borrell against the decision of North Lincolnshire Council.
 - The application Ref PA/2016/1506, dated 19 September 2016, was refused by notice dated 14 December 2016.
 - The development proposed is to demolish the existing garage, construct a new garage and an extension to the bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 81 High Street, having particular regard to outlook.

Reasons

3. The appeal relates to a detached bungalow which benefits from extant planning permission for a rear extension and a detached garage (Ref PA/2015/1006). As approved the garage would be sited in the rear garden adjacent to the boundary with 81 High Street. It would have an L-shaped footprint and at its highest point would be almost 5.6m with a games room in the roofspace.
 4. The revised proposal has been designed with a dual-pitch roof in order to reduce the massing of development at first floor level. Nevertheless, at almost 14.8m long and roughly 6-6.75m high it would still be substantial in size. Based on the submitted profile drawings it would be materially larger than the extant scheme, and would have a significantly greater bulk at first floor level with a part-gable facing north.
 5. Furthermore, in the position proposed the garage would only be roughly 1m away from the boundary with 81 High Street. The rear elevation of the bungalow would also be almost directly opposite the proposed outbuilding at a distance of approximately 10m. As a result, whilst the current occupier has not objected to the planning application, due to its size, scale and proximity to the shared boundary I consider that the garage would appear as a large, dominant and overbearing structure from the rear of no.81.
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6. In reaching this view I have taken into account that there is a noticeable level change between the rear garden of no.81 and the appeal site, which is lower. Although this would reduce the visual impact of the scheme, based on the evidence provided it would not be sufficient to adequately mitigate its overbearing effect. Even with the change in level and dual-pitched roof, the size, siting and proximity of such a large outbuilding would be harmful to the outlook from the bungalow to the north.
7. It is also noted that no other neighbouring residents have objected to the scheme, that it would not have a detrimental impact on the streetscene and that it would offer a significant improvement on the appellant's existing garage, parking and storage arrangements. However, these factors do not overcome the harm that would be caused by such a large and visually intrusive form of development so close to the shared boundary with no.81.
8. At the appeal stage reference has also been made to the Council's approach to pre-application discussions and the process of determining the planning application, including the sharing of information with Members of the Planning Committee. But these are not matters for me. Instead, I am required to consider the proposal on its specific merits and I have determined the appeal on that basis.
9. I therefore conclude that by reason of its size, scale and proximity to the adjacent garden the proposal would be harmful to the outlook from 81 High Street, to the detriment of the occupiers' living conditions. As a result, it conflicts with *North Lincolnshire Local Plan* Policy DS5 which states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal is not, amongst other things, overbearing to adjacent dwellings. For the same reasons the proposal is also contrary to one of the National Planning Policy Framework's Core Planning Principles which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

10. The Council has not raised any concerns regarding the proposed single-storey rear extension or associated works. Whilst finding no reasons to disagree, the appellant has not indicated that they would wish to implement the extension separately from the outbuilding. I have therefore determined the appeal on that basis.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR