
Appeal Decision

Site visit made on 12 June 2017

by Gareth Wildgoose BSc (Hons) MSc MRTPI

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

Decision date: 28 June 2017

Appeal Ref: APP/E2530/W/17/3171843

203 & 205 Dysart Road, Grantham NG31 7DX

- 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 Mr & Mrs Pearce against the decision of South Kesteven District Council.
 - The application Ref S16/2518, dated 8 November 2016, was refused by notice dated 4 January 2017.
 - The development proposed is an outline application for 1 pair of semi-detached houses including vehicular access and parking. New vehicular access to 203 Dysart Road and new vehicular access to 205 Dysart Road.
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Decision

1. The appeal is allowed and planning permission is granted for an outline application for 1 pair of semi-detached houses including vehicular access and parking. New vehicular access to 203 Dysart Road and new vehicular access to 205 Dysart Road at 203 & 205 Dysart Road, Grantham NG31 7DX in accordance with the terms of the application, Ref S16/2518, dated 8 November 2016, subject to the conditions in the attached schedule.

Procedural Matters

2. The site address has been updated with the agreement of the main parties to ensure consistency with the red edge on the location plan. The application was submitted in outline with all matters reserved. I have determined the appeal on that basis, treating the site layout and accesses indicated within the block plan as illustrative.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The appeal site consists of Nos. 203 and 205, a pair of two storey semi-detached dwellings which face Dysart Road and are located towards its eastern corner with The Avenue. The backland site where the dwellings would be located currently consists of part of the long rear gardens where a detached garage is sited with an associated hardstanding area for parking and domestic paraphernalia that is accessed from The Avenue. The remainder of the site is enclosed by an existing hedge which leads to lower fencing towards the junction of Dysart Road and The Avenue.
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5. Policy EN1 of the Local Development Framework for South Kesteven Core Strategy (CS), adopted July 2010, amongst other things, seeks protection of the character of the district with all development proposals assessed in relation to local distinctiveness and sense of place, layout and scale of buildings and designed spaces. Although Policy EN1 of the CS pre-dates the National Planning Policy Framework (the Framework) it is broadly consistent with its design objectives and is afforded full weight.
6. The local area is predominantly residential and the immediate surroundings of the site include the presence of a detached garage within the rear garden of 207 Dysart Road and a substation opposite. Further to the south along The Avenue, the character changes to an estate layout with a mix of semi-detached and terraced houses. Individually and as a group, the houses facing The Avenue are typical of a post war housing style with some variety in the palette of materials. The properties individually and as a group are not of architectural or landscape significance. Nevertheless, the layout of the development and the interrelationship of semi-detached and terraced properties create a sense of place. In particular, the broad symmetry of a group of 4 pairs of semi-detached properties near to the site that are arranged diagonally to form a square around the junction of The Avenue with The Drive is a locally distinctive element that is replicated on other corners within the estate.
7. The transition towards the different character and linear alignment of Dysart Road is reflected in the side space of Nos 1 and 2 The Avenue to their boundaries which is noticeably larger than other semi-detached and terraced properties along The Avenue. When taken together with the space provided by the long rear gardens of Nos. 203 and 205, the site is part of a substantial gap on The Avenue containing only modest outbuildings and boundary treatments that departs from the rhythm, continuity and pattern of development otherwise typical of buildings with closer relationships to the south.
8. Development of the site would maintain significant space to the rear building line of Nos. 203 and 205 and to the side of No 1 The Avenue. Consequently, the site offers an opportunity for infill properties to create visual interest, together with enhanced legibility to the frontage. It would provide a complementary approach to the existing properties along the eastern side of The Avenue without detracting from the local distinctiveness of the area or harmfully altering the spacious character of its surroundings. Dwellings of appropriate design, layout, scale, form and materials within the site would be capable of providing a complementary transition between the different character and building lines of the respective properties on Dysart Road and The Avenue with benefits to the rhythm and continuity of the street scene.
9. The precise siting, scale and appearance of the proposed dwellings, together with associated landscaping would be appropriately controlled through the reserved matters stage, notwithstanding the inclusion of illustrative details as part of the outline application. It is reasonable that the design, scale and massing of semi-detached houses would differ from the modest outbuilding within the site and those opposite. Furthermore, the individual plots would be considerably smaller than others immediately surrounding. However, I observed that asymmetrical patterns of development and different plot sizes are not uncommon in the wider area. A nearby example includes a bungalow of considerable footprint within a site to the south of 241 Dysart Road (No 241) which successfully assimilates with its surroundings. The resultant garden

depth of No 241 is reduced compared to its surroundings and is similar to that which would remain at Nos. 203 and 205.

10. Having regard to all of the above, subject to appropriate design and layout details as part of the reserved matters, the site could accommodate a pair of semi-detached properties that would not have a detrimental effect on the character and appearance of the site and the area. In reaching that view, I have taken into account a previous appeal decision for a dwelling at No 1 The Avenue¹ whereby planning permission was refused due to, amongst other things, harm to the character and appearance of the area. Nevertheless, the development of the site before me would be materially different as it would not be viewed as an unduly cramped or incongruous form of development by virtue of retaining more considerable space and visual separation to No 1 The Avenue than the previous appeal proposal. Consequently, it would not have an adverse effect on the symmetry of semi-detached properties which surround the junctions of The Avenue and The Drive.
11. The illustrative proposal also involves the provision of a dropped kerb to the front of No 203 Dysart Road and a widening of the existing accesses on the eastern side of The Avenue to provide driveways for the dwellings and at the rear of No 205 Dysart Road. Changes of that nature would not have an adverse effect on the character and appearance of either street scene where a variety of existing accesses and hardstanding areas are present. In any case, the final details of the accesses remain subject to approval as part of the reserved matters.
12. I conclude that the proposal would not harm the character and appearance of the area, subject to appropriate details to be provided as part of the reserved matters. The development, therefore, would not conflict with Policy EN1 of the CS or the Framework in that respect.

Conditions

13. The Council provided a suggested list of conditions. Where necessary, the wording has been amended and consolidated to accord with paragraph 206 of the Framework. The standard conditions relating to submission and approval of reserved matters, commencement of development and plans compliance are imposed. A condition requiring details of foul and surface water drainage prior to commencement and implementation before occupation is also necessary.
14. The Council have requested that conditions be imposed relating to submission and approval of details of materials and boundary treatments. Such matters relate to appearance and landscaping which are reserved for subsequent approval and therefore, those conditions are not necessary. Development of the site would be capable of providing adequate separation to surrounding properties to preserve the living conditions of occupiers in terms of outlook and privacy. Those matters could also be appropriately addressed through the reserved matters relating to layout, scale, appearance and landscaping.
15. A condition has been requested to remove permitted development rights for Schedule 2, Part 1, Class A of the GPDO². The PPG³ advises that such conditions will rarely pass the test of necessity and should only be used in

¹ APP/E2530/A/10/2129353 – Dismissed – 18 October 2010

² The Town and Country Planning (General Permitted Development) (England) Order 2015

³ PPG, Use of Planning Conditions, Paragraph: 017 Reference ID: 21a-017-20140306 Revision date: 06 03 2014

exceptional circumstances. In that regard, given the constrained nature of the plot, it is reasonable and necessary that permitted development rights for enlargement, improvement or other alteration of a dwellinghouse are removed in the interest of preserving the living conditions of neighbouring properties.

16. Based on the evidence before me and observations during my site visit, adequate parking for the dwellings and a safe means of access to the site and Nos. 203 and 205 Dysart Road would be feasible without undue impact upon highway capacity or in terms of traffic congestion. It is not necessary to impose conditions relating to accesses which have yet to be finalised and which can be appropriately dealt with as part of a reserved matters submission.

Conclusion

17. For the reasons given above, I conclude that the appeal should be allowed and planning permission granted as set out in the formal decision and subject to the conditions set out in the attached schedule.

Gareth Wildgoose

INSPECTOR

SCHEDULE

CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall begin not later than 2 years from the date of the approval of the last of the reserved matters to be approved.
- 4) This permission relates to the site as denoted by the red line on drawing nos: WAPDR/16/OUT/001 & WAPDR/16/OUT/002.
- 5) The development hereby permitted shall not begin until details of works for the disposal of foul and surface water have been submitted to and approved in writing by the local planning authority. The foul and surface water drainage scheme shall be carried out and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i) a timetable for its implementation, and;
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the drainage scheme throughout its lifetime.
- 6) Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no enlargement, improvement or other alteration to the dwellings hereby permitted other than those expressly authorised by this permission.