The Planning Inspectorate

Appeal Decision

Site visit made on 10 June 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2019

Appeal Ref: APP/E2530/W/19/3225315
20 Wheatsheaf Lane, Long Bennington NG23 5DU

- 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 J Rees against the decision of South Kesteven District Council.
- The application Ref S18/2038, dated 31 October 2018, was refused by notice dated 24 January 2019.
- The development proposed is the erection of dwelling.

Decision

1. The appeal is dismissed.

Procedural matters

2. The application was submitted in outline with all matters reserved for future approval except access. I have assessed the proposal on that basis.

3. On 19 February 2019, the government published its Housing Delivery Test (HDT) results alongside an updated revised National Planning Policy Framework (the Framework). The HDT outcome for the Council indicates that the delivery of housing has been below the requirement over the last 3 years. Footnote 7 of the Framework notes that paragraph 11 d) is triggered in circumstances where the HDT indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3-years. As the HDT 2018 measurement for the Council is identified as 81%, that threshold is not met in this case. Consequently, paragraph 11 d) of the Framework is not engaged on that basis.

Main issue

4. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

5. The proposal is primarily to erect a new dwelling on part of the garden at the side of the appeal property, which is a mainly 2-storey semi-detached dwelling that occupies a prominent corner plot in an established estate style residential area. Access is proposed from Witham Road, as existing. The detached garage just beyond the rear of the house would be demolished and removed to make way for the new addition. In the vicinity of the site, buildings occupy reasonable sized plots and are generally set back from the road, often behind

landscaped gardens and, in some instances, grass verges. This arrangement gives a spacious feel to the local street scenes to which the site belongs.

6. The size of the site would provide sufficient space for a new dwelling to stand comfortably within the newly created plot. With adequate space around the new building, I am not convinced that the proposal would result in the over development of the site or appear cramped in terms of layout or appearance. Consequently, I am unable to share the principal concerns of the Council.

7. Nevertheless, a substantial new built form would be introduced into generally undeveloped garden space that, at present, adds to the sense of openness in the streetscape. This pleasant garden space, with its grassed area and dense boundary hedgerow, makes an important contribution to the local area. It does so mainly by providing a noticeable visual break from existing built development and by visually softening the appearance of surrounding buildings. This contribution is most evident when seen from various vantage points along Wheatsheaf Lane, Witham Road and also from Back Lane, roughly opposite the site.

8. Although scale and layout are matters for later approval, the shape, size and position of the newly created plot are likely to constrain the options for the site's development. It is highly likely that the proposed dwelling would stand relatively close to No 20 and project both towards the site's highway frontage with Witham Road and forward of the existing buildings that address this highway further to the south. This arrangement is broadly shown on the Illustrative Block Plan. In this general position, the new dwelling would be a prominent addition to the local area. Having viewed the site from the nearby highways, I consider that the proposal would significantly diminish the broadly open undeveloped nature of the site. It would unduly erode the welcome sense of space in the streetscape to the detriment of the area's visual character.

9. The appearance, scale, layout and landscaping of the proposal could, to some extent, mitigate the visual impact of the development. Additional planting could, for instance, provide some screening in views from the road. However, it is highly likely that the new dwelling would still be highly conspicuous in the local street scene notwithstanding detailed design considerations.

10. The appellant places some reliance on a similar form of development adjacent to 29 Welbourne's Lane that is just a short distance from the site. As this detached dwelling occupies a prominent corner plot on the former side garden of No 29 at the entrance to Welbourne's Close, there are obvious similarities with the proposal before me. In that case, the Officer's report considered that scheme was in keeping with the general pattern of development. Having carefully viewed this completed development, which I acknowledge was recently approved by the Council in the light of planning policies that are similar to those that are most relevant to the proposal before me, that is not an opinion that I share. To my mind, it exemplifies the harm to which I have referred and thus does not set a desirable precedent to follow.

11. Reference is also made to a new dwelling that was granted planning permission and is now in place on land next to 21 Welbourne's Lane. With buildings on either side, the immediate context of this infill dwelling differs to the proposal. Consequently, there are few direct parallels to be drawn with the appeal scheme. In any event, I have assessed the proposal on its own merits and find it to be unacceptable for the reasons given.

12. On the main issue, I conclude that the proposed development would materially harm the character and appearance of the local area. As such, it conflicts with Policy EN1 of the Council's Core Strategy (CS), Policy SAP H1 of its Site Allocation and Policies Development Plan Document and Policies LB1 and LB2 of the Long Bennington Neighbourhood Development Plan 2016-2026. These policies note that the layout of buildings and designed spaces, the pattern of existing development and the character of the built fabric will be considerations to be taken into account in the assessment of development proposals. It is also at odds with the Framework, which states that development should respond to local character and add to the overall qualities of the area.

13. The site is within the main built up area of Long Bennington, which is a Local Service Centre wherein residential development is generally encouraged in policy terms. It would make an efficient use of land and add to the supply and choice of housing. The Council raises no objection to the proposal insofar as CS Policy SP1 is concerned, which states that development, amongst other things, should not compromise the nature and character of the settlement. The living conditions of others would not be harmed by the proposal. I also acknowledge that the proposed access off Witham Road is already in place and note the appellant's view that the new parking spaces to serve No 20 could come forward through the exercise of permitted development rights. However, these matters do not outweigh the significant harm that I have identified.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR