



Appeal Decision

Site visit made on 23 July 2019

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 August 2019

Appeal Ref: APP/E2530/W/19/3227198

138 Barrowby Road, Grantham NG31 8AF

- 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 H O'Rourke against the decision of South Kesteven District Council.
 - The application Ref S18/1759, dated 25 September 2018, was refused by notice dated 20 November 2018.
 - The development proposed is a dwelling and vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline with approval sought for access and layout only, with matters of appearance, landscaping and scale reserved for future consideration. A site plan, floorplans, roofplan, elevations and a section of the proposed dwelling (drawings B/3224-02, B/3224-04, B/3224-05 and B/3224-06) accompanied the application. I have regarded all elements of these drawings as indicative apart from the details of the positioning of the development within the plot and the access.
3. A revised version of the National Planning Policy Framework (the Framework) was published on 19 February 2019 after the Council made its decision. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties have had an opportunity to comment upon the Framework as part of the appeal and I have therefore determined the appeal on that basis.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, including regard to existing trees.

Reasons

5. The appeal site forms part of the rear garden of No 138 Barrowby Road. Development along Barrowby Road is predominantly characterised by large, detached, two storey houses of a variety of styles and designs which front, but are set well back from, the highway. They are situated within generous mature gardens and possess strong boundary enclosures of mature hedges and close boarded fences.

6. With regard to the above, large, mature trees on grassed verges line either side of Barrowby Road and, in conjunction with the wide footpaths, provide separation from the road to the access driveways and frontages of the properties. Views from the highway through to gardens to the rear are often screened by garages and fences. The strong linear pattern and generous separation of the houses, and the abundant mature landscaping to the pavements and gardens, combine to provide a formal but spacious suburban feel and pleasant verdant appearance. These elements contribute to the area's local distinctiveness and sense of place.
7. The rear garden of No 138 Barrowby Road is larger than most along the road. Substantial mature trees in the northern corners, along with several smaller fruit trees and shrubs at the edges of the garden, provide a level of screening and enclosure. It is bounded by close boarded fences and a mature hedge. A public footpath that links Barrowby Road to Camarthen Close, which is part of a modern housing estate to the north, abuts the western boundary of the garden and allows glimpsed views through into the appeal site.
8. The indicative plans show the subdivision of the rear garden and the development of the appeal site with a dormer style bungalow. The footprint of the new dwelling would be substantially larger than that of the existing building to the south and would take up the majority of the plot leaving relatively limited external space. This would significantly reduce the spaciousness and open nature of the garden of No 138 Barrowby Road as a whole when compared with the length of rear gardens immediately to the east, and cause the new dwelling to appear cramped and discordant within the appeal site. The proposal's backland position in the rear garden would appear contrary to the spatial characteristics and prevailing pattern of development in the area, particularly the consistency of long rear gardens to the east. The result would be a dwelling which would not integrate well with its surrounding context and would harm the character and appearance of the area.
9. Notwithstanding the screening provided by existing landscaping, given the layout of the new dwelling within the plot, I consider that it would be readily visible and unduly prominent when looking east from the public footpath and looking south from Camarthen Close. Its intrusion into the space and the erosion of the openness of the appeal site would highlight the contrast between the appeal proposal and the adjacent properties fronting Barrowby Road and the incompatibility of a dwelling in this location.
10. Access to the proposal would be gained via No 138 Barrowby Road with an additional driveway running down the full length of the eastern side of the garden to the appeal site. This is shown as being approximately 3-3.1m wide. I note Lincolnshire County Council as Local Highway and Lead Local Flood Authority has stated that it should be widened to 4.1m for the first 10m into the site, which the appellant has confirmed this could be done up to a maximum of 20m.
11. The introduction of an extended vehicular access to the appeal site would noticeably diminish the soft landscaped nature and appearance of the garden. It would be an incongruous feature leading from Barrowby Road which, by virtue of its location, length and form, would have a detrimental impact on the garden and the streetscene.

12. The large mature trees at the northern corners of the site and at the point of access from Barrowby Road are extremely visible from public routes to the north, west and south of the appeal site and make a significant and positive contribution to the character and appearance of the area. The close proximity of these trees and their root systems to the proposal means that it is highly probable that the dwelling and access would have a harmful impact on them. I note that the appellant contends that the large trees would not be damaged and only the smaller fruit trees would need to be removed. However, in the absence of a formal assessment in the form of a tree report, this cannot be confirmed and therefore, the possible loss of trees close to the point of access and within the site adds to my concerns.
13. I note that the appellant is in agreement with the Council that the new dwelling shown on the indicative plans is too big and would be willing to reduce the size to that similar to a previous lapsed approval (ref S10/2380). Be that as it may, I have to determine the appeal on the basis of what is before me in relation to access and layout. The previous permission is no longer extant and I do not have the full details of the circumstances that resulted in it being granted. However, based on the limited information provided, I consider that it would not replicate the identified harm of this proposal.
14. Accordingly, I conclude that the proposal would harm the character and appearance of the area, including with regard to existing trees. As such it would be contrary to policy EN1 of the Local Development Framework for South Kesteven, Core Strategy (2010) which, amongst other things, aims to protect and enhance the character of the District, stating that all development proposals will be assessed in relation to a number of factors including local distinctiveness and sense of place and the layout and scale of buildings and designed spaces. It is also not in accordance with the provisions of the Framework which, amongst other things, seek to resist inappropriate development in garden areas and ensure that developments are visually attractive, sympathetic to local character and establish or maintain a strong sense of place.

Other Matter

15. The Council made no specific reference to the effect of the proposal on the living conditions of neighbouring properties and future occupiers of the new dwelling in its reasons for refusal but raised them at appeal stage. I am satisfied that the details of the reserved matters of appearance, landscaping and scale could ensure a satisfactory relationship with neighbouring properties so as to preserve the living conditions of the future occupiers of the development and existing occupiers of those surrounding in terms of outlook, privacy and noise, when taking account of the limited use of the access typically associated with a single dwelling. Furthermore, notwithstanding my concerns with respect to the cramped nature of the site being contrary to the surrounding pattern of development along Barrowby Road, I am satisfied that the external amenity areas would be of a similar size to other gardens in the wider area and therefore, sufficient to provide a functional space to meet the needs of future residents with a layout where it would receive sufficient light. However, the absence of any concern in these respects is largely a neutral factor and does not justify the harm I have identified in relation to the main issue.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR