

Appeal Decision

Site visit made on 3 December 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/N2535/W/19/3237412

Salisbury, Main Street, Grasby, Barnetby DN38 6AH

- 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 I. S. Manser against the decision of West Lindsey District Council.
 - The application Ref 139312, dated 10 April 2019, was refused by notice dated 6 June 2019.
 - The development proposed is described as "erection of a single storey dwelling with associated parking."
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposals on (i) highway safety with regards to parking area; and (ii) the living conditions of the occupiers of neighbouring properties Rhodesia and The Old Chapel with regards to outlook, light and privacy.

Reasons

Highway safety

3. The submitted plans show that the proposal would include a parking area to accommodate two vehicles. This parking area is accessed via the existing driveway which leads to the neighbouring property Rhodesia.
4. The Council indicate that there are insufficient turning facilities which would result in vehicles unable to exit the site in a forward motion. The existing driveway leading to Rhodesia is narrow and given the size and positioning of the proposed parking area, it would be difficult to manoeuvre a vehicle to allow it to exit the site onto the adopted highway in a forward motion.
5. The proposed parking area would not be of sufficient size to provide enough space for manoeuvring. I find it likely that occupants of the proposed property would be tempted to exit in a backward motion, possibly onto the adopted highway which would have a detrimental effect on the safety of highway users.
6. The proposal would therefore have a harmful effect on highway safety due to insufficient parking area. The proposal would be contrary to policy LP13 of the Central Lincolnshire Local Plan 2017 which seeks development proposals to contribute towards a safe transport network.

Living conditions

7. The windows and doors in the neighbouring properties of Rhodesia and The Old Chapel would not be within close proximity to the proposed property. The proposed bungalow would be of a modest scale and would be located at a level higher than the buildings of Rhodesia and The Old Chapel. Given the scale of the proposed bungalow and the distance from the window and doors of Rhodesia and The Old Chapel, there would be no adverse overbearing effects created that would compromise the outlook of the occupiers of the neighbouring properties.
8. Due to the scale and siting of the proposed development and the orientation of the existing buildings, the proposal would not be bulky and would not create any overshadowing or loss of light that would have detrimental effects on the living conditions of the occupiers of Rhodesia and The Old Chapel.
9. There are to be no windows in the south east elevation of the bungalow with the windows in the south west elevation being a mix of high level and obscurely glazed. The proposed bungalow would therefore not result in direct overlooking into the properties and gardens of Rhodesia and The Old Chapel and privacy levels would not be adversely compromised.
10. I have had regard to the Council's Officer Report and the previous planning application Ref: 136109 which was refused and dismissed at an appeal. However, I do not have full details of this previous application nor full copies of the decisions and so cannot be sure that this scheme represents a direct parallel to the appeal proposal. In any case, I have determined the appeal on its own merits.
11. The proposed development would not have a harmful effect on the living conditions of the occupiers of Rhodesia and The Old Chapel with regards to outlook, light and privacy. The proposal would be in accordance with Policies LP2 and LP26 of the Central Lincolnshire Local Plan 2017 which seeks proposals to have considered compatibility with neighbouring land uses, overlooking, overshadowing and loss of light.
12. Whilst I have found that the proposal would not have a detrimental effect on the living conditions of the occupiers of neighbouring properties, this would not outweigh the harm I have identified with regards to highway safety.

Other matters

13. Concerns have been raised from local residents and the Parish Council including land ownership, trees, refuse storage, housing density, effects on heritage assets and listed buildings, stability of land, and health and safety issues. I have given careful consideration to these matters however, they do not lead me to a different overall conclusion on the main issues.

Conclusion

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

Chris Baxter

INSPECTOR