



Appeal Decision

Site visit made on 19 November 2019

by M Seaton DipTP MRTPI

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

Decision date: 13 January 2020

Appeal Ref: APP/Y2003/W/19/3235338

Prospect House, North End, Goxhill, North Lincolnshire, DN19 7JN

- 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 Miss Hannah Sullivan against the decision of North Lincolnshire Council.
 - The application Ref PA/2019/468, dated 11 April 2019, was refused by notice dated 4 June 2019.
 - The development proposed is an outline application for a single residential development with all matters reserved.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application has been submitted in outline with all matters (access, layout, appearance, landscaping and scale) reserved for later approval. I have dealt with the appeal on this basis, treating the plans submitted as indicative of the type of development that could be carried out.

Main Issues

3. The main issues are;
 - the effect of the proposed development on the character and appearance of the street scene and area;
 - whether the proposed development would safeguard the living conditions of neighbouring occupiers, having regard to privacy, outlook and light; and,
 - whether the proposed dwelling would make adequate provision for the living conditions of future occupiers, having regard to private amenity space and parking.

Reasons

Character and appearance

4. The appeal site is comprised of a modest-sized parcel of land identified as being approximately 19 metres depth on the northern boundary, 16 metres on the southern boundary, and 10 metres width. The site is positioned within the existing curtilage of Prospect House, a large detached property set on the

inside of a sharp bend within the centre of the village. An existing bungalow is situated immediately adjacent to the appeal site to the north, and the eastern boundary of the appeal site is defined by significant mature trees, planting, and a low wall with fence atop.

5. It is evident that there is a reasonable degree of variation in both property and plot sizes in the surrounding area, with some comparatively small examples. However, even taking into account this variation, the appeal site would be uncharacteristically small for the scale of development as indicatively proposed. Whilst I acknowledge the proposed development is made in outline with all matters reserved, the accommodation of the submitted indicative scale of dwelling on the appeal site would result in a cramped development to the detriment of the character and appearance of the area. This conclusion is given further weight by the need to take into account the characteristic set-back of development from the road frontage of adjacent properties in the immediate vicinity of the appeal site on the western side of North End.
6. I have had regard to the appellant's contention that the removal of the existing substantial planting and foliage from the road boundary would be of a visual benefit to the area. However, whilst there are no details before me of the extent of such works, I would disagree in principle with this conclusion from the perspective of the impact on the character and appearance of the area, which the existing planting and trees clearly make a positive contribution towards.
7. Based on the submitted evidence and my observations of the site and area, I am not persuaded that the proposed development could be accommodated on the appeal site without an adverse effect on the character and appearance of the area. I therefore find the proposal to conflict with saved Policies DS1 and H8 of the North Lincolnshire Local Plan, May 2003 (the Local Plan), and Policy CS5 of the North Lincolnshire Core Strategy, June 2011 (the Core Strategy). These policies seek to ensure that development is of a high standard of design which reflects or enhances the character, appearance and setting of the immediate area, including with regards to its layout.

Living conditions – existing occupiers

8. I observed the proximity of neighbouring properties to the appeal site, and in particular the relationship between the appeal site and the bungalow known as Endich, to the North.
9. The Council has expressed some concern over the impact of the proposed development on the residential amenities of the neighbouring occupiers but has not expanded upon precisely how such impacts may arise.
10. Nevertheless, despite the absence of final details of the design and layout of the proposed dwelling, having regard to the extent of the appeal site, I am satisfied that it would be possible to accommodate the proposed development without resulting in an unacceptable impact on the amenity of the neighbouring occupiers. In reaching this conclusion I have had regard to the relative position and extent of the appeal site, the absence of habitable room windows on the facing elevation of the neighbouring bungalow, and the relative indicative single-storey scale of the proposal. As a consequence I consider that a scheme maintaining reasonable access to privacy, light and outlook for neighbouring occupiers could be implemented.

11. Furthermore, although I have already expressed my reservations from the perspective of the impact on character and appearance of the removal of the existing mature planting and trees from the front boundary of the appeal site, I accept that there may be some benefit to the residential amenity of the neighbouring property, with regards to light.
12. For these reasons, I am satisfied that the development as proposed would not result in an adverse impact on the living conditions of neighbouring occupiers, having regard to privacy, outlook and light. This would accord with saved Policies DS1 and H8 of the Local Plan, and Policy CS5 of the Core Strategy, which set out the need for development to consider the relationship between buildings and the spaces around them and provide a high standard of layout, and not result in an unacceptable loss of amenity to neighbouring land uses.

Living conditions – future occupiers

13. I have carefully considered the Council's contention regarding the capability of the proposed development to make adequate provision for the living conditions of future occupiers, having particular regard to the provision of private amenity space, parking and turning facilities.
14. Whilst the full details of the layout and design of the development are not yet known, being reserved matters, I share the Council's concerns in this regard. The indicative plan shows a building footprint of 10.4 metres by 7 metres, which would be set within a plot of 16-19 metres by 10 metres, and in order to address a characteristic set-back of properties as referred to in paragraph 5 of this Decision Letter, there would be a comparatively limited area of land remaining. On this basis, and being mindful of the submitted evidence, I am not persuaded that the residual space would be sufficient to be able to accommodate both a reasonable level of usable private amenity space, as well as parking and turning facilities.
15. I note the appellant has indicated that more land will be sold with the appeal site and that this would result in the provision of 116 m² of private amenity space. However, whether this is in addition to the land shown on the submitted site plan is immaterial as the determination of the appeal must be on the basis of the information and plans submitted, rather than the potential for a future alternative scheme.
16. For these reasons, I am not persuaded that the proposed dwelling would be capable of making adequate provision for the living conditions of future occupiers, having regard to private amenity space and parking. The proposal would therefore conflict with saved Policies DS1 and H8 of the Local Plan, and Policy CS5 of the Core Strategy, which set out the need for development to consider the relationship between buildings and the spaces around them and provide a high standard of layout.

Other Matters

17. I have noted there to be concerns over access and highway matters as expressed by Goxhill Parish Council. However, in light of the conclusions of the Council's Highways Team not to raise an objection to the proposed development, a conclusion with which I see no reason to disagree, I am satisfied that matters related to access would be appropriately addressed

during the course of the assessment of any future reserved matters application.

Planning Balance and Conclusion

18. The provision of a single additional dwelling would make a limited positive contribution to the local housing market in a sustainable location with good access to services and facilities. The local economy would also have the potential to have some limited benefit during the construction period and from any expenditure from future occupiers.
19. Nevertheless, whilst acknowledging the above benefits and that the proposal would not have an adverse effect on the residential amenity of neighbouring occupiers, for the reasons already set out above, the proposed development would have an adverse impact on the character and appearance of the area and would not make adequate provision for the living conditions of future occupiers. As a consequence, I have not found the development to be in accordance with the Development Plan.
20. I have noted the appellant's contention that the Council is unable to demonstrate a 5-year supply of deliverable housing land. However, I have not been provided with any detailed evidence from which to corroborate this claim, although even if it were shown to be the case I am satisfied that in this instance the adverse impacts of the proposal would still significantly and demonstrably outweigh the benefits as set out above.
21. Therefore, for the reasons given above, the appeal is dismissed.

M Seaton

INSPECTOR