



Appeal Decision

Site visit made on 19 October 2020

by Beverley Doward BSc BTP MRTPI

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

Decision date: 30 October 2020

Appeal Ref: APP/N2535/W/20/3255822

Land adjacent to Sal Don, 30 Crapple Lane, Scotton, Gainsborough, Lincolnshire, DN21 3QT

- 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 Mrs Rosemary Kettleborough against the decision of West Lindsey District Council.
 - The application Ref 141019, dated 4 May 2020, was refused by notice dated 7 July 2020.
 - The development proposed is to erect 1no dwelling with access and layout to be considered and not reserved for subsequent applications.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development in the heading above differs from that stated on the application form as the appeal form indicates that a revised description of development was agreed by the Council and the appellant before the Council determined the planning application.
3. The revised description of development amended the proposal from an outline application with all matters reserved to an outline application with access and layout to be considered and all other matters reserved for future consideration. The Council considered the application based on the revised description of development and so shall I.

Main Issues

4. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the living conditions of the occupiers of the existing dwelling Sal Don, 30 Crapple Lane, with regard to amenity space.

Reasons

Character and appearance

5. The appeal site comprises land to the eastern side of an existing detached dwelling known as Sal Don on the southern side of Crapple Lane within the defined settlement of Scotton. It is adjoined by residential properties to the

east, west and south. There are also residential properties on the northern side of Crapple Lane.

6. The site is located within Character Area 2 (Crapple Lane), as identified within the submission draft of the Scotton Neighbourhood Plan (Neighbourhood Plan). The character description within the Neighbourhood Plan indicates that the dwellings on Crapple Lane are a mixed array of houses and bungalows which pretty much run the entire length of the lane. It also indicates that these dwellings vary in age. From what I saw on my site visit I agree with this description.
7. The frontage of the appeal site to Crapple Lane is of a similar width to the frontages of the immediate surrounding dwellings on the south and north side of Crapple Lane. However, that part of the site on which the proposed dwelling would be sited is significantly narrower. Accordingly, notwithstanding that there is currently a detached garage and outbuilding on this part of the site, the proposed dwelling would appear cramped on its plot. The overall effect of the proposal would be to introduce a density of residential development which would be contrary to the prevailing character of the immediate surrounding area, particularly on the southern side of Crapple Lane. As such therefore, the proposal would be detrimental to the character and appearance of the area.
8. The appellant refers to another development elsewhere on Crapple Lane which it is suggested demonstrates a precedent for the type of development proposed here. I am not aware of the circumstances relating to this development nevertheless it does not serve to provide support in favour of a proposal that I have found would cause harm.
9. Having regard to the above the proposed development would cause harm to the character and appearance of the area. This would be contrary to policies LP2, LP4, LP17 and LP26 of the Central Lincolnshire Local Plan 2017 (Local Plan) which taken together seek to ensure that, amongst other things, development does not harm the character and appearance of the area. It would be contrary to policies 6 and 12 of the submission draft Neighbourhood Plan which have similar objectives and which, in the light of the advice in the Planning Practice Guidance¹, given the stage that it has reached can be given significant weight in decision making. It would also be contrary to the National Planning Policy Framework which has similar provisions.

Living conditions

10. The appeal site incorporates some of the rear garden area of the existing dwelling known as Sal Don at 30 Crapple Lane.
11. The appeal proposal would result in the rear garden area of Sal Don being significantly reduced to a roughly triangular shaped area with a depth of around 4m to the east and around 8m to the west. The appellant suggests that the proposal would provide sufficient amenity space to serve the existing dwelling and is commensurate in size to that which serves other dwellings nearby. However, it seems to me that the reduced area coupled with its irregular shape would mean that its ability to function as a useable amenity space for the occupiers of Sal Don would be likely to be limited.

¹ ID 41-107-20200925

12. Having regard to the above therefore, the proposal would cause material harm to the living conditions of the occupiers of the existing dwelling known as Sal Don at 30 Crapple Lane with regard to amenity space. It would fail to comply with policy LP26 of the Local Plan which seeks to ensure that the amenities that all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy are not unduly harmed by or as a result of a development proposal. It would also be contrary to paragraph 127(f) of the National Planning Policy Framework which indicates that planning decisions should ensure that developments create a high standard of amenity for existing and future users.

Conclusion

13. Having regard to all of the above the proposal would be contrary to the development plan as a whole. For the reasons given above therefore, I conclude that the appeal should be dismissed.

Beverley Doward

INSPECTOR