
Appeal Decision

Site visit made on 19 October 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2020

Appeal Ref: APP/A2525/W/20/3254630

Adjacent Goodfellows, 9 Spalding Common, Spalding, Lincs PE11 3AS

- 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 & Mrs P Martin against the decision of South Holland District Council.
 - The application Ref H16-0348-20, dated 29 April 2020, was refused by notice dated 16 June 2020.
 - The development proposed is erection of a bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have removed the reference to the previous refusal of planning permission at the appeal site from the description in the banner heading as this is not in itself development.

Main Issues

3. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of neighbouring residential properties.

Reasons

Character and appearance

4. The appeal site comprises the northern side garden area of a detached bungalow, No 9 Spalding Common. The appeal site's immediate context is single storey detached bungalows with the adjacent properties to the north and north east particularly low and set at a lower land level. Development in the wider area comprises a variety of house types in different plot sizes.
5. The proposal is to erect a detached bungalow sited forward of the existing bungalows to either side of the plot and relatively close to the road frontage. Due to the lower land level of the adjacent bungalow to the north, and the relatively open character of the road frontage the proposal would be visible on the approach to the site in both directions. In the wider context there is no overriding reason to maintain a similar building line along the Spalding Common frontage. However, the proposal would be set considerably forward of the properties either side and close to the side elevation of No 9. The siting of the proposed bungalow would impinge on the space around the existing

property and would be a prominent and discordant element in views from the road frontage because of its significantly different siting in relation to its neighbours. As a consequence, the proposal would not sit comfortably in its plot and would appear incongruous in the street scene.

6. Therefore, I consider that the development would detract from the character and appearance of the area and would conflict with Policies 1 and 2 of the South East Lincolnshire Local Plan 2011- 2036 adopted 2019 (Local Plan) which seeks high quality design. It would also conflict with the National Planning Policy Framework (the Framework) where it seeks to ensure that development adds to the overall quality of the area.

Living conditions

7. The property (Woofmere) is to the rear of the appeal site. Woofmere is at an angle to the joint boundary, is a low building in a small plot with an outbuilding within the rear garden and a conservatory extension on the back overlooking a limited garden space. The proposed bungalow, because of its size and siting and construction at a land level considerably above Woofmere, would have a dominant and overbearing impact on the outlook from the garden and the windows of Woofmere. I have noted the 'daylight survey' provided by the appellant, however, this illustration does not lead me to a different conclusion.
8. Lumbertops is set further from the proposed bungalow with its rear elevation facing the existing property No 9 Spalding Common (No 9). The proposed bungalow would be sufficiently separated from Lumbertops and would not detract from its living conditions.
9. The access into the appeal site would be via a new vehicular access to the front of the existing bungalow, No 9. The turning and parking area for the proposal would be to the front of No 9 immediately next to the bedroom windows. Noise and disturbance, due to the parking and turning of vehicles adjacent to the bedroom windows, particularly at night when headlights are in use, would be intrusive to the existing property and detrimental to the living conditions of its occupiers.
10. The property to the north of the appeal site has its side elevation facing the plot. The proposal would have large bifold doors and a bedroom window orientated towards this elevation. Although the adjacent property is constructed at a lower land level and is to the north side of the appeal site, I consider that there would be enough separation between the two sites to ensure that the siting and design of the proposal would not overlook or otherwise detract from the living conditions of this property.
11. However, overall, I conclude that the development would detract from the living conditions of neighbouring residential properties Woofmere and No 9 Spalding Common and would conflict with Policies 1 and 2 of the Local Plan which seeks to ensure that residential amenity is considered. It would also conflict with the Framework where it seeks a high standard of amenity for existing and future users.

Other Matters

12. I note that there has previously been an approval for a detached dwelling on the appeal site which is time expired. I have been provided with limited

details of the previous proposal. However, I have determined the appeal proposal on its merits having regard to the development plan, the evidence before me and my own observations following my site visit.

13. I note the reference to other developments within the area that are, in the appellant's opinion, sited close together and close to boundaries. Although I have not been provided with the details of the particular schemes, I appreciate that the area has a varied character. However, for the reasons given this does not affect my conclusions in relation to the appeal proposal.
14. Local residents have also expressed concerns including about surface water run off/flooding, sewerage and highway safety. However, I note that these matters were considered by the Council at the application stage and did not form part of the reason for refusal, which I have dealt with in the assessment above. Whilst I can understand the concerns of local residents, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these matters.

Conclusion

15. For the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR