
Appeal Decision

Site visit made on 19 January 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2021

Appeal Ref: APP/Y2003/W/20/3260092
9 Haig Avenue, Scunthorpe DN16 1DZ

- 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 Miss J Hughes against the decision of North Lincolnshire Council.
 - The application Ref PA/2019/1232, dated 22 July 2019, was refused by notice dated 14 April 2020.
 - The development proposed is 'construction of 2 No. flats on land adjacent to 9 Haig Avenue Scunthorpe.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that a previous scheme has been refused on this site and an appeal dismissed¹. The appellant indicates that the appeal proposal was submitted to overcome the previous concerns. I have had regard to these decisions in considering the appeal.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the area;
 - the living conditions of No 7 and No 9 Haig Avenue with particular regard to outlook and light; and,
 - highway safety.

Reasons

Character and appearance

4. The appeal site is a plot of land formerly part of the garden area of 9 Haig Avenue, a corner property prominently sited at a bend in the road. The plot aligns with the arrangement of properties on the south side of Haig Avenue.
5. Haig Avenue is largely characterised, but not exclusively so, by semi-detached houses of similar design and siting set back from the road frontage with small gardens, parking and driveways to the road frontage. Space between dwellings is mostly sufficient to provide vehicle access at the side of properties.

¹ APP/Y2003/W/19/3234553

6. I consider the proposed materials would be compatible with the surrounding development. However, the proposed structure would be sited close to the joint boundary with No 7 Haig Avenue. The proximity between No 7 and the proposal would be out of character with the general spacing of buildings within the street. Further, the proposed two storey front forward projecting gable would protrude forward of the front of No 7 and, as a consequence, it would be markedly more prominent in the street and would appear incongruous in the street scene.
7. Consequently, the proposal would conflict with Policy CS5 of the North Lincolnshire Local Development Framework Core Strategy (2011) (Core Strategy) and Policies H5 and H8 of the North Lincolnshire Local Plan (2003) (Local Plan) where these policies seek high quality design.

Living conditions

8. The existing properties either side of the appeal site have side windows. No 7 has a large kitchen window that faces the site with only limited separation from the boundary.
9. The large gable elevation of the proposal would be close to the boundary of No 7. This would severely reduce the amount of light into the kitchen window and dominate the outlook from it.
10. I am satisfied that the proposal would be adequately separated from the side windows of No 9 because of the angle of the property to the joint boundary. Consequently, there would be no detriment to the living conditions of No 9 because of the siting of the proposal.
11. The new dwellings would not project beyond the rear elevation of No 7 and only a limited amount would project beyond the rear elevation of No 9. Thus, the scheme would not have an unacceptable impact upon the gardens of the neighbouring properties.
12. Nevertheless, I conclude that the development would harm the living conditions of No 7 Haig Avenue with regard to light and outlook in conflict with Policy CS5 of the Core Strategy and Policies H5, H8 and DS1 of the Local Plan where these policies seek to protect the amenity of neighbouring properties.

Highway safety

13. I saw at my site visit that Haig Avenue is a lightly trafficked residential street. Most properties near to the site have off street parking. Parking along the street frontage is not precluded and I noted there was only limited on-street parking at the time of my visit. I appreciate that this was only a snapshot of the situation but there is no substantial evidence before me that the situation is different at other times.
14. Although I note the third-party concerns about the manoeuvring of vehicles into and out of the site, there is limited evidence before me that the proposed parking arrangements would be either inadequate or unsafe for highway users.
15. Consequently, I conclude that the development would not be harmful to highway safety and would accord with Policies T2, T19 and H8 of the Local Plan where these policies seek to prioritise pedestrian movement, provide sufficient parking and improve the safety of streets.

Other Matters

16. I note the other decisions referred to by the appellant in relation to the main issues, however, I have very limited information about these other sites. In any case the effect of a development on a particular street scene or the living conditions of neighbouring properties must usually be assessed with regard to its immediate context, as is the case here.
17. I have had regard to the third-party representation in support of the proposal and I note the appellant's evidence that the development would provide affordable homes in an accessible location. I accept that the site is accessible to services and facilities. Nevertheless, I have no evidence that the proposed flats would provide affordable housing in the manner envisaged in the National Planning Policy Framework. In any case, the limited evidence before me on these other matters does not lead me to a different conclusion on the main issues.

Conclusion

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

Diane Cragg

INSPECTOR