The Planning Inspectorate

Appeal Decision

Site visit made on 5 January 2021

by Graeme Robbie BA(Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2021

Appeal Ref: APP/R2520/W/20/3260210
16 Washingborough Road, Heighington LN4 1RE

- 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 D Hackett against the decision of North Kesteven District Council.
- The application Ref 20/0187/FUL, dated 11 February 2020, was refused by notice dated 1 July 2020.
- The development proposed is extensions and alterations to existing dwelling and erection of 2 no. dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In order to facilitate access to the two dwellings proposed in the rear garden of the appeal property alterations and extensions are also proposed to the existing house at No. 16. The Council have confirmed that these proposed alterations and extensions were considered to be acceptable and were not cited in the reason for refusal. I have not been presented with any further evidence that would lead me to reach a different conclusion, and I have therefore determined the appeal accordingly.

Main Issues

3. Having regard to the matters set out above, the main issues are the effects of the proposed development, with particular regard to the erection of two dwellings, upon:

   - The character and appearance of the appeal site and the surrounding area; and
   - Trees.

Reasons

Character and appearance

4. The appeal site contains a modest detached house set within a large garden plot which extends a significant distance to the rear of the house. The appeal site is notably larger than those that adjoin it and the appellant is right to note that there is variation in plot size along Washingborough Road as there is in terms of house type and size. However, whilst some variation does exist, the

prevailing character is nevertheless of larger homes set in generous garden plots with a sense of spaciousness in front, around and to the rear of houses.

5. The appeal site is consistent with this general pattern, a pattern and character which is further reinforced by the limited scale and extent of properties and plots on surrounding streets such as Canterbury Drive and Daniel Gardens as the exceptions that prove the rule. Whilst they adjoin the appeal site, they are very much part of different and distinct contexts and settings and, as such, the interior of the appeal site shares more with the other lengthy rear garden plots of properties on Washingborough Road than with properties on these surrounding streets.

6. The rear gardens are not devoid of buildings, as is evident looking along them from the appeal site, and from the footpath link between Washingborough Road and Daniel Gardens. However, those buildings that are present in this area are small, discrete and domestically scaled outbuildings. As a consequence, there is no sense of there being substantial built development or larger buildings within this area. Nor do the bungalows on the western side of Canterbury Drive alter this perception, their scale being sufficiently limited so as to avoid challenging the prevailing expansive, open nature of the Washingborough Road properties' rear gardens.

7. However, the proposal would introduce two rather more substantial structures to the rear of the appeal site in a manner at odds with the prevailing open and spacious character of the rear gardens. Although a dwelling on plot 2 may share some synergy with properties on Daniel Gardens, it would not have a frontage to that street, whilst existing vegetation, landscaping and boundary features at the rear of the appeal site and adjacent residential plots there would render it partly hidden. Nevertheless, in isolation and in plan form at least, a dwelling in this location on plot 2 would not appear unduly incongruous or out of place in the context of its relationship with existing properties on Daniel Gardens.

8. However, the proposed dwelling at plot 1 would be a more visually disruptive feature and would erode the prevailing character and built form of the surrounding area. It would be far more substantial in terms of its scale, bulk and massing than other, generally smaller, domestic outbuildings within rear gardens along Washingborough Road. Furthermore, the removal of the existing flat roofed garage, car port and entrance porch at the side of the existing house would be such that the interior of the site, and particularly the proposed plot 1 dwelling, would be far more visible than is currently the case.

9. Thus, in the context of the verdant backdrop currently exhibited behind Nos. 16 and 18, the proposed dwelling would not only be a substantial structure in and of itself but would also clearly signal a depth of development not immediately evident elsewhere along Washingborough Road. Indeed, taken together, the proposed dwellings on plots 1 and 2 would be clearly visible from the roadside, whilst other elements of the proposal to facilitate access to the plots would further increase the angle and extent of visibility from Washingborough Road. The proposed development would thus amount to a incongruous and intrusive addition within the rear garden area of the appeal property at odds with the prevailing pattern of development and which would erode the pleasantly landscaped nature and private residential character of the rear gardens of this residential block.

10. Taken together, the quantum and form of the proposed development would significantly erode the open and pleasingly domestic garden setting at the rear of properties on Washingborough Road. It would result in a backland form of development, a built-form at odds with the prevailing pattern of built-form along Washingborough Road and which would also erode the broadly residential block layout formed by Washingborough Road, Daniel Crescent / Gardens and Canterbury Drive. Therefore, taking these factors together therefore leads me to conclude that the proposed development would fail to secure the high quality design sought by Central Lincolnshire Local Plan (CLLP) policies LP2, LP17 and LP26, and would not therefore achieve an appropriate form infill within the existing developed footprint of Heighington as sought by CLLP policy LP2.

11. Turning to the bulk, scale, height, plan form and roofscape of the proposed dwellings, I find the appellant's description of properties in the surrounding areas as being mixed to be accurate. There is no one single or over-arching defining style, character or scale of building. By incorporating accommodating within the roofspace and utilising dormer windows, the proposed dwellings would reflect the one-and-a-half storey and dormer-windowed bungalow character of properties to the rear. However, the heavily articulated elevations and complex plan forms are at odds with the simple and consistent plan forms, elevations and layouts of properties in the surrounding area, even if there is no one single prevailing design or style of dwelling. Whilst the proposed dwellings would be sited to the rear of No. 16, itself a substantial building and effective in partially screening the dwellings from view from Washingborough Road, and not therefore widely visible, they would nevertheless be viewed from, and seen amongst, other relatively simple and straight forward buildings. Here, the contrast in these parameters between proposed and existing would be noticeable and render the dwellings as incongruous additions to a varied, but not overly complex, character and local vernacular.

12. Furthermore, the relationship of the proposed dwellings with the rears of the small detached and semi-detached bungalows on Canterbury Drive would result in a cramped layout and emphasise the mismatch in scale between these two sets of buildings. I accept that the existing house within the appeal site is sited reasonably close to that at No. 14, but the nature of that relationship is different to that between the proposed dwellings and the rears of properties on Canterbury Drive. I note too, that the Council do not raise any concerns in terms of privacy or outlook for occupiers of neighbouring properties in response to the proposed development. Whilst that may be so, this does not overcome my concerns in respect of the bulk, scale, height, plan form and roofscape of the proposed dwellings. The proposed development would therefore fail to secure the high-quality design sought by CLLP policies LP2, LP17 and LP26 or the appropriate form infill within the existing developed footprint of Heighington as sought by CLLP policy LP2.

Trees

13. The rear portion of the site, both its interior and its perimeter, is reasonably heavily populated by trees. Due to their height, their canopies are clearly visible above surrounding houses as a solid green 'block' and whilst the majority of them are considered to be of poor quality they still make a worthy contribution to the character and appearance of the surrounding area.

14. However, the appellant has stated that the garden has become overgrown more recently and trees and vegetation less actively managed than in the past. This is evident in the heights of some of the trees, particularly those close to the site's northern corner adjacent to properties in Daniel Gardens, which would be removed as part of the proposal. Some of the trees that contribute to this 'green block' would be retained and managed but it is inevitable that the density and integrity of the collective tree canopy would be reduced. However, the trees are not specifically protected by Order nor by Conservation Area designation.

15. Although the proposal would result in the loss of a number of trees, a suitably worded planning condition to secure a comprehensive landscaping and tree planting programme would enable a greater diversity in species and age profile of trees within the appeal site, the management of existing trees to be retained and the bolstering of existing planting where necessary. Thus, although I have concluded that the proposal would result in harm to the character and appearance of the area for the reasons set out above, I am satisfied that the loss of trees required to facilitate the proposal allied to a comprehensive scheme of retention and protection of those trees to be retained and detailed landscaping proposals for replacement tree planting, would not be harmful, per se, to the character or appearance of the area.

16. CLLP policy LP21 recognises the importance of protecting, managing and enhancing a range of biodiversity and geodiversity assets and interests, whilst CLLP policy LP26(f) identifies the incorporation or retention, as far as possible, of existing natural features such as trees and hedgerows. The proposal would retain some of the existing trees whilst proposing to remove others. The appellant has demonstrated that scope remains for a comprehensive landscaping and planting scheme which would be capable of introducing species and age-diverse tree and vegetation cover and I am satisfied that this could be secured by way of suitably worded planning conditions. The proposal would therefore be broadly consistent with the aims and provisions of CLLP policies LP21 and LP26 in retaining and protecting, as far as possible, existing trees and hedgerows and incorporating appropriate landscaping treatments to assist the proposal being satisfactorily assimilated into the surrounding area.

Other Matters

17. I have noted the appellant's concern regarding the Council's site visit processes and the extent to which it was possible to access the site as part of the site visit process. However, I was able to access the site satisfactorily and have set out my conclusions above. This is a matter between the Council and the appellant and is not a factor to which I give any significant weight.

Conclusion

18. Whilst I agree with the Council that the alterations and extensions to the existing dwelling at the appeal site are acceptable, those works are an integral part of the overall development scheme and, as such, I have to consider the appeal proposal as a whole. Thus, for the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie INSPECTOR