



Appeal Decision

Site visit made on 11 January 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2021

Appeal Ref: APP/E2530/W/20/3258704

3 Cherry Holt Road, Bourne PE10 9LA

- 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 J Goodman against the decision of South Kesteven District Council.
 - The application Ref S20/0797, dated 20 May 2020, was refused by notice dated 28 July 2020.
 - The development proposed is Erection of single-storey 2-bedroom bungalow (resubmission following S19/1293).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of adjacent occupiers with particular regard to privacy and noise.

Reasons

Character and appearance

3. The appeal site comprises the overgrown end of the private domestic garden to the rear of 3 Cherry Holt Road. A fence and hedge divide it from the tended garden area next to the dwelling.
4. A unifying characteristic of the dwellings along this part of Cherry Holt Road is that they are positioned both close to and, in the main, facing the road, with generous rear gardens.
5. The proposed new dwelling would be located on the garden behind the main dwelling and set close to the far end of the plot. It would constitute back land development.
6. As the proposed main frontage would be orientated towards the garden of 3a Cherry Holt Road, with the flank wall visible from the main road, it would jar with the linear form of development within this part of Cherry Holt Road. Given its position within the plot and the spacing between buildings along the road

frontage, it would inevitably be visible from the street scene. Moreover, the sub-division of the plot to accommodate the proposed dwelling would be at odds with the established pattern of development which features houses set in ample plots with generous spacing between. Overall, the proposal would not appear as a harmonious addition to the street scene and would cause harm to the character and appearance of the area.

7. Whilst the wider area has a varied pattern of development, I have considered the proposal within the context of the appeal site and immediate surroundings. Other back land development brought to my attention appears to sit comfortably within a tightly grained residential courtyard and so is not directly comparable to the appeal proposal.
8. To conclude, the proposal would not enhance the character or appearance of the area and would therefore be in conflict with the Council's Local Plan 2020 Policy DE1 in its objectives to promote good quality development as well as the National Planning Policy Framework (the Framework) in its objectives to achieve well-designed places.

Living Conditions

9. The existing timber boundary fences enclosing all sides of the plot would screen from view external activities associated with a residential dwelling. This, together with the proposed positions of windows, would prevent surrounding occupiers experiencing a harmful sense of overlooking or loss of privacy.
10. Noise associated with additional residential activities together with increased and unrestricted vehicular movements to and from the site would inevitably occur. Taking into account the position of the garage and the fact that the site is surrounded on all sides by residential dwellings, and irrespective of its proposed limited size, or proposed surface treatments, it would result in an intensification of noise levels emitted here. As a consequence, the development would cause disturbance to neighbouring residents.
11. Therefore, I conclude that the proposal by way of increased noise would be harmful to the living conditions of adjacent occupiers, contrary to Local Plan 2020 Policy DE1 in its aims to ensure there is no adverse impact on amenity levels of neighbours. It would also be in conflict with Section 12 of the Framework that seeks to create a high standard of amenity for existing and future users.

Other Matters

12. There may be the opportunity for the appellant to benefit from permitted development at the site by way of erecting a building which may be similar in scale and mass to this proposal. However, it would be an ancillary building to the main dwelling and would be closely associated with it. It would not amount to a separate dwelling and so would not cause the harm I have identified from the appeal scheme. I therefore afford this matter limited weight.
13. The appellant points to local planning policy that supports infill development within this settlement, with which they consider this proposal is compliant. However, whilst there may be some policies in the development plan that support the appeal scheme, I have found conflict with the most important policy to the determination of this appeal.

Conclusion

14. For the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR