
Appeal Decision

Site visit made on 18 January 2021

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday, 04 February 2021

Appeal Ref: APP/E2530/W/20/3259547

69 Horsegate, Deeping St James, PE6 8EW

- 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 Jaz Virdee against the decision of South Kesteven District Council.
 - The application Ref S20/0592, dated 10 April 2020, was refused by notice dated 11 August 2020.
 - The development proposed is proposal for 2 number 4-bedroom dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. The area within which the appeal site is located is away from the centre of the village. Its immediate area is characterised by large detached dwellings with large rear gardens. However, there are some traditional terraces nearby, which front the road.
4. There is one example of a dwelling in a backland position close to the appeal site. This dwelling is located off a long drive and largely concealed behind existing vegetation. I saw no other obvious examples of backland development in the immediate vicinity of the appeal site. Although the appellant does highlight nearby sites in his statement.
5. The appeal proposal would introduce a pair of linked detached houses to the rear garden of No 69 Horsegate, which would extend virtually across the whole width of the site. An access would be formed between No 69 and the access to the bungalow at No 67a. The residential garden at the side of No 69 would become a driveway and an additional opening on to Horsegate would be formed.
6. The open and undeveloped character and appearance that currently exists, extending from the front garden of No69 and into its rear garden would be lost. The change brought about by the driveway, its associated vehicular and pedestrian movements and the shortening of the rear garden would be significant and harmful to the open and spacious character and appearance of

the area. Moreover, the linked nature of the proposed dwellings, when viewed from the road, would be seen as a terrace. Whilst there are examples of terraced houses in the area, none of these appear to be in backland locations.

7. Furthermore, the shortening of the rear garden of No 69 by the proposed development, extending virtually across its entire width, would be a discordant feature in the area. It would also not be consistent with the local settlement pattern, in an area where most of the more modern dwellings have deep rear gardens.
8. The development plan for the area is comprised of the South Kesteven District Local Plan 2011-2036 (January 2020) (LP). Policies SP3 and DE1 of the LP seek, amongst other things, to ensure that new development respects the character and appearance of the towns and villages of the District. In particular both policies support development that is in keeping with the character of the area and make a positive contribution to local distinctiveness, reinforce local identity and settlement pattern.
9. Therefore, and for the reasons given above the proposed development would be in conflict with the policies of the development plan.

Other Matters

10. The appellant has drawn my attention to other examples of backland development, both around the appeal site and elsewhere in South Kesteven. Of those which are around the appeal site the only ones I could see from public roads were the bungalow at No 67a and the development at Horse Farm Close.
11. The bungalow at No 67a sits well back from the street and is surrounded by extensive grounds. Its effect on the character and appearance of the area is low as it is sited behind a row of terraced houses. This contrasts with the appeal proposal which would be clearly visible from the road, be seen to be formed from the shortened garden of No 69, as well as virtually extending across the entire width of the site.
12. The development at Horse Farm Close appears to be the re-development of a former farmyard. Whilst the development of the site is dense, it is difficult to make comparisons between it and the proposal that is before me, without knowing what the site contained prior to its re-development for housing.
13. The other examples set out in the appellant's statement appear to be from across South Kesteven. All the examples appear to be on larger sites than the appeal proposal and have large gardens with space around them.
14. I have had regard to these developments, however I have to make my decision on the proposal that is before me and none of these examples appear to be directly comparable to the appeal proposal.

Conclusion

15. For the reasons set out above the appeal is dismissed.

Peter Mark Sturgess

INSPECTOR