



Appeal Decision

Site visit made on 8 March 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal Ref: APP/E2530/D/20/3264266

86 Tennyson Avenue, Grantham NG31 9NH

- 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 Robert Johns against the decision of South Kesteven District Council.
 - The application Ref S20/1566, dated 14 September 2020, was refused by notice dated 11 November 2020.
 - The development proposed is new double garage with office space above.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon:
 - i. The character and appearance of the surrounding area; and
 - ii. The living conditions of the occupiers of 1 Burns Close, having regard to outlook.

Reasons

Character and appearance

3. The appeal relates to a semi-detached property located on a corner plot at the junction with Tennyson Avenue and Burns Close. Within the local area are a mix of terraces and semi-detached properties which are of simple design. The appellant highlights that the site is not located within a conservation area nor subject to an Article 4 Direction.
4. On my site visit I observed that the garage the appeal seeks to replace had been demolished. Like the previous single-storey garage, the proposed garage and office space would be situated to the rear of the property. Its scale and massing would be considerably larger than the former garage due to its width, depth and height.
5. Large outbuildings, such as the garage proposed, are not characteristic of the area. Garages within the local area are generally single storey and have a simple appearance and form. The proposed building would appear at odds with the established character of the area as a result of its scale and height. It would appear substantially larger and out of proportion with the single-storey, modest garages and outbuildings within the local area.

6. Although matching materials are proposed, the design would not reflect the appearance of garages and dwellings within the local area. This is because of the height of the building and the scheme includes dormer windows which are not a common feature within the area. Thus, due to its siting, design and massing, the garage would be an incongruous addition to Burns Close. Additionally, it would have little visual relationship with the character and appearance of dwellings and outbuildings within the surrounding area.
7. Whilst the scheme would not be widely conspicuous from Tennyson Avenue, it would be clearly visible from Burns Close. The appellant suggests that a condition could be attached to raise the height of the boundary fence to screen the development. I am not satisfied that a higher boundary fence would fully screen the building, due to its height, and a taller fence would cause harm to the character and appearance of the area because high fences are not characteristic of the area.
8. For these reasons, the proposed development would be visually harmful to the character and appearance of the surrounding area. Consequently, it would conflict with Policy DE1 of the South Kesteven District Council Local Plan 2011-2036 (2020) (LP) which seeks, amongst other matters, to promote high quality design and to ensure development does not have an adverse impact on the street scene. It would also not comply with Section 12 of the National Planning Policy Framework (the 'Framework') which seeks to achieve well-designed places and requires development to be sympathetic to local character.

Living conditions

9. The new building would sit closer to the side elevation of 1 Burns Close which contains windows. The submitted drawings show that the garage would be located approximately 1.2 metres from the shared boundary. The side elevation of No 1 is stepped in from the common boundary due to the driveway. Based on the evidence presented, the windows contained within the side elevation are secondary and non-principal windows. The main windows of No 1 are to the front and rear and have a good level of outlook.
10. The scheme would result in an increase in building mass closer to the side elevation windows. However, given the gap between the proposal and the nature of the windows, the development would not appear overly intrusive. The main windows would continue to provide an open outlook and there would be adequate distance between the proposed building and the side windows of No 1 to ensure that the scheme would not have an overbearing, oppressive nor dominating impact. Accordingly, the scheme would not have an unacceptable effect upon the living conditions of the occupiers of No 1, having regard to outlook.
11. For these reasons, the proposed development would, in this regard, comply with Policy DE1 of the LP which seeks to ensure that new development does not adversely impact the amenity of neighbouring users. In this respect, it would also comply with Section 12 of the Framework which requires new development to provide a high standard of amenity for existing users.

Other considerations

12. The appellant highlights that the footprint of the proposed garage would be allowed under permitted development rights. Nonetheless, the building would

be above the permitted height allowed and, based on the evidence presented, the permitted development option would be less intrusive than that proposed.

13. I also acknowledge the matters raised by the appellant in terms of providing additional space to work from home, paragraph 7 of the Framework, aesthetic improvements, providing parking to meet modern car sizes, would accept an ancillary condition, there have been no objections from neighbours and the economic, social and environmental benefits of the proposal. However, these are not considerations which outweigh the harm identified. The development would therefore not form sustainable development, as defined by the Framework, given the harm identified.

Conclusion

14. Although I have found that the development would not have an unacceptable effect upon the living conditions of the occupiers of No 1, the scheme would have a harmful effect upon the character and appearance of the surrounding area. For those reasons, the appeal should be dismissed.

L M Wilson

INSPECTOR