



Appeal Decision

Site visit made on 5 January 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2021

Appeal Ref: APP/E2530/W/20/3258226

26 Harrowby Lane, Grantham NG31 9HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr M Brandreth against the decision of South Kesteven District Council.
 - The application Ref S19/2177, dated 12 December 2019, was refused by notice dated 28 February 2020.
 - The development proposed is demolition of existing dwelling and erection of 2 dwellings.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 13 January 2021.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline form with all matters reserved. However illustrative plans have been supplied showing the siting of the two properties and the means of access. I have taken these into consideration as part of my assessment.

Main Issues

3. The main issues in this case as the effect of the development on the character and appearance of the area and the effect of the development on the living conditions of new and existing residents by reason of the proposed shared access drive.

Reasons

Character and appearance

4. The appeal site is located within a residential area and the existing property is one of a number on that section of Harrowby Lane set in an extensive plot with a large rear garden area. The appeal site also includes the back section of the rear garden of No 24.
5. The appeal proposals show that No 26 would be demolished and a smaller dwelling erected within the footprint of that dwelling. A second dwelling would be erected in the rear garden area. Illustrative plans show that access would

be taken from Harrowby Lane and pass the new front dwelling to reach the rear dwelling.

6. The appeal proposal would result in the loss of a percentage of the rear gardens of No 24 and No 26 to provide the new dwellings. Whilst the gardens of these properties are generous, a detailed proposal at the reserved matters stage would need to provide an acceptable layout and detailed design for the new dwellings themselves and their associated parking and garden spaces. An acceptable relationship between the new dwelling to replace No 26 and the new dwelling located at the rear and their remaining gardens would also need to be achieved.
7. The application is for outline planning permission and so details of the size and design of any dwelling would be left for future consideration. Having regard to the outline plans, in terms of its overall size and in particular its depth, the site layout would be markedly different from those of its neighbours.
8. The area is predominantly characterised by detached dwellings situated within substantial and deep plots. The proposed plot sizes would by comparison be much smaller in size, especially in depth, and so would not respect the prevailing pattern of development in the surrounding area.
9. Therefore, I find that the proposal would introduce development that would result in the loss of the spacious garden area of No 26 Harrowby Lane, by the introduction of a new dwelling at the rear which would be at odds with the built form of the surrounding area.
10. Although the Council would have control over the appearance, scale and layout of the development, the proposal would result in a form of development that would be out of character with the surrounding pattern of development. Given the predominant development pattern of the existing properties that front on to Harrowby Lane, I consider that the proposed dwelling, set within a backland site, would not be in keeping with its context. The harm arising could not be mitigated by landscaping, as this cannot be considered a permanent feature.
11. Although the precise location of the proposed dwellings is a reserved matter, within this context, the proposal would fail to reflect the existing pattern of development. It would therefore appear as an incongruous form of development that would be inconsistent with the locality thus causing harm to the character and appearance of the area.
12. In conclusion, on this issue, I find that the proposals would be contrary to Policies SD1 and DE1 of the South Kesteven Local Plan (adopted 2020) (the LP) which, amongst other matters, expect development to enhance the districts character, make a positive contribution to that character and reinforce local identity. It would also conflict with the aspirations of Section 12 of the National Planning Policy Framework (the Framework).

Living Conditions

13. Although a reserved matter, the plans before me suggest an access would pass between the new No 26 and No 28. The use of this access by a dwelling would increase vehicular movements to the sides of these properties. I cannot conclude that the proposal will not cause harm to the occupants of the new

No 26 and No 28 Harrowby Lane with particular regard to noise and disturbance from the likely vehicle movements.

14. Although the level of vehicular activity associated with the new dwelling at the rear is unlikely to be high, it would be more intrusive than the present situation, due to the proximity of the access. Whilst it would be possible to surface the access in a material which minimises tyre noise, there would be unacceptable disturbance arising from engine revving and vehicle movements in general.
15. I consider that noise from cars accessing, turning and manoeuvring within the site and utilising the illustrative access road, whilst modest, given its potential proximity would be detrimental to the living conditions of the two affected properties. Whilst planting and quality boundary treatment could help to mitigate this effect, I do not have sufficient detail before me to determine the suitability of any such mitigation.
16. My concerns in respect of noise and disturbance from the access bring the scheme into conflict with policy DE1 of the LP which amongst other matters, expects development to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise and disturbance and the aspirations of Section 12 of the Framework.

Other Matters

17. I have noted the comments of the appellant with regard to other schemes, but I have not been provided with full details of those schemes and I am also required to assess a scheme on its own merits. The harms that I have identified to the character and appearance of the area and the living conditions of new and existing residents have led my decision to a dismissal.

Conclusion

18. Therefore, for the reasons given above, and taking into account all other matters, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR