



Appeal Decision

Site visit made on 27 March 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2023

Appeal Ref: APP/M2515/W/22/3311072

131 Grange Crescent, Lincoln, Lincolnshire LN6 8DD

- 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 Marshall against the decision of the City of Lincoln Council.
 - The application Ref 2022/0562/FUL, dated 4 July 2022, was refused by notice dated 30 September 2022.
 - The development proposed is a new dwelling on land adjacent to 131 Grange Crescent, Lincoln.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on i) the character of the area and ii) the living conditions of occupiers of 131 Grange Crescent, with regard to outdoor amenity space, outlook and daylight.

Reasons

Character of the area

3. It is proposed to demolish the rear projection of the existing dormer bungalow at 131 Grange Crescent, and to construct a one-bedroom detached bungalow in its rear garden, fronting onto Grange Drive.
4. Grange Drive is a short access road that connects Hykeham Road and Grange Crescent. Its street scene comprises the side elevations and gardens of four detached dormer bungalows, one on each corner, with two fronting Hykeham Road and two fronting Grange Crescent. These properties are of similar scale, design and appearance, on plots of almost identical scale and form. Each has vehicular access to its rear garden from Grange Drive. The dwellings are equally spaced by their rear gardens, and although they each have varying domestic extensions and outbuildings to the rear, these are small scale, and not comparable to a new dwelling fronting onto Grange Drive.
5. The sub-division of the existing plot at No.131, into two smaller plots, would detract from the very clear, and well-planned pattern of development that currently exists. The proposal would result in both the existing and proposed plots appearing cramped in comparison to their immediate surroundings.
6. The architectural style of the proposed bungalow would broadly reflect that of others in the area. However, its scale and siting, and the resultant loss of space

between the existing dwellings, would not reflect or positively contribute to the overall quality of the area.

7. I therefore conclude that the proposal would cause harm to the character of the area, contrary to Policy LP26 of the Central Lincolnshire Local Plan (April 2017) (the local plan). This policy requires, amongst other things, that all development proposals relate well to the site and surroundings, particularly in relation to siting, scale, form and plot widths. It would also be contrary to paragraph 130 of the National Planning Policy Framework (the Framework), which seeks to ensure amongst other things that development is sympathetic to local character, including the surrounding built environment.

Living conditions

8. The sub-division of the existing plot of land would result in minimal private outdoor amenity space being retained to the rear of No.131. This small space, being to the northwest of the dormer bungalow, would be in the shade for much of the day. It would be too small to accommodate the day-to-day activities of the household and would also be unattractive for sitting out. Although some garden land would also be retained to the front and side of the existing property, this would be partly taken up by the proposed new parking and turning space. Moreover, the low-level boundary walls and planting that exist to the front and side of these corner plots provide little privacy.
9. I have not been provided with plans to show the existing or proposed internal layout of No.131. As such, I am unaware which windows would face the rear of the site, following the proposed partial demolition. However, given the size of the rear elevation, it is reasonable to expect that it would contain some windows. The outlook of any rear windows would be compromised by the proximity of the proposed new bungalow and by the new boundary treatment between them. This would result in an undue sense of enclosure as well as an absence of natural light and outlook for occupiers of No.131.
10. I therefore conclude that the proposal would result in harm to the living conditions of the occupiers of No.131 Grange Crescent, with regard to outdoor amenity space, outlook and daylight. This would be contrary to Policy LP26 of the local plan, which requires, amongst other things, that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy, must not be unduly harmed by new development.

Other Matters

11. My attention has been drawn to three planning permissions that have been granted in recent years along Hykeham Road. Two of these permissions relate to small, detached outbuildings in long rear gardens that are to be occupied by family members as ancillary annexes. The other example referred to, at the rear of 78 Hykeham Road, was for a dwelling on a separate parcel of land, accessed between the garages of Nos. 72 and 78. It would be sited some distance from any of the surrounding dwellings. Consequently, I do not consider that any of the cases referred to are comparable to the proposal before me, in terms of their effects upon the character of the area or the living conditions of occupiers of adjacent dwellings.
12. With regard to the bungalows to the rear of Nos.322 and 324 Hykeham Road, which front onto Baildon Crescent, these appear to pre-date the local plan.

These dwellings also reflect the scale and design of the adjacent bungalows and the size of the plots they are built upon. When viewed on site, it is evident that adequate separation distances and garden space for the frontage houses is also retained, which is unclear on the aerial images included in the appellant's statement of case. Moreover, Baidon Crescent is different in character to Grange Drive, which comprises only four corner bungalows with garden space between those fronting Hykeham Road and those fronting Grange Crescent.

13. It is suggested that the rear elevation of No.131 need not contain any windows and that there would be no loss of light as a garage is being removed. There was no garage at the time of my visit and no plans have been submitted to show how the alteration of the existing dwelling would affect its internal room layout or window positions. However, given that the side elevation facing No.129 Grange Crescent also has no outlook, having no rear windows is unlikely to be satisfactory, as the two remaining elevations with an open outlook both face the street.
14. I do not agree with the assumption that all bungalows are occupied by retired persons or that such persons all want or need a small garden with limited natural light and outlook. The reason for refusal relates to the lack of garden space for occupiers of the existing dormer bungalow and not the proposed smaller one-bedroom bungalow.
15. I acknowledge and have given modest weight to the fact that the proposal would deliver some limited short term economic benefits during its construction and that future occupiers of the dwelling would generate some additional expenditure in the area. The proposal would make a modest contribution to the housing supply, although I have not been provided with any evidence of a housing land supply shortfall in this area, or of any identified local need for this particular type of housing. I also note that the dwelling would be in a location that is accessible to services and facilities without the need for future occupiers to be reliant upon a private car.

Conclusion

16. For the reasons given above, and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and no material considerations, including policies in the Framework, have been presented to me that would outweigh the harm. I therefore conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR