



Appeal Decision

Site visit made on 2 January 2024

by J Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2024

Appeal Ref: APP/E2530/W/23/3319347

Land Adjacent 34 Haddon Road, Stamford PE9 2UP

- 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 Jamie Smith against the decision of South Kesteven District Council.
 - The application Ref S22/1524, dated 26 September 2022, was refused by notice dated 21 November 2022.
 - The development proposed is a 2 storey 3 bed detached house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In December 2023, the Government published a revised National Planning Policy Framework (the 'Framework'). The revisions in Section 12, as referred to by the Council in their reason for refusal, relate to the use of local design codes (paragraph 138), and planning conditions (paragraph 140) rather than anything relevant to the main issues in this appeal. Consequently, I have not invited further comments.

Main Issue

3. The main issue is the effect of the proposed dwelling on the character and appearance of the area.

Reasons

4. The appeal site lies in a residential area characterised by short terraces of houses and detached and semi-detached houses. The properties in the immediate vicinity of the site are typically set back from the highway with well-defined 'building lines' to Haddon Road and Chatsworth Road and small, landscaped front gardens enclosed by low walls, fences or hedges. That said, the groups of even numbered terraced houses at 18-32 and 34-48 Haddon Road are set back a notable distance and are aligned perpendicular to the road. Grassed areas of open space in front of these properties form distinctive and well-defined gaps within the otherwise built environment.
5. The appeal site comprises of a regular shaped parcel of land between the flank wall of 34 Haddon Road and the adjacent highway. Whilst at the time of my site visit it was enclosed with a tall close boarded fence, it nonetheless, provided a visual break within the road. Along with other green spaces in the

locality it made a positive contribution towards the open character and appearance of the area.

6. The new dwelling would be set back from Haddon Road in line with the front elevation of the adjacent garage block that lies immediately to the east of the appeal site. Notwithstanding this set back it would be positioned well forward of the flank wall of 34 Haddon Road, and would be significantly taller than the adjacent garages, resulting in a building that would be visually prominent within the streetscene. Moreover, the development of the appeal site with the proposed two storey dwelling would significantly erode the open characteristics of the site.
7. I have taken into account the design and layout of the terraced houses which appears to be based on a simple design philosophy that focusses on the symmetry of the properties laid out around an open space. The appellant accepts that the proposal would introduce some asymmetry to the existing layout. In this regard I find that any additional dwelling in the location proposed would visually unbalance the layout. As a result, it would be detrimental to the well-mannered and proportioned arrangement of the buildings that currently exists. Consequently, it would have a harmful effect on the character and appearance of the area.
8. I accept that the appellant has sought to position the proposed dwelling in line with the garages, provide low level fencing to the side and front gardens to create an open appearance and has proposed a design and materials that are compatible with neighbouring properties. However, these are matters that I would expect of any modern development and as a consequence are neutral matters in my consideration.
9. I also note that the land is in private ownership and responsibility for its maintenance lies with the appellant. Whilst accepting that this places a duty on him it does not alter my findings as set out above. It does not justify the proposal.
10. Accordingly, I conclude that the proposal would be harmful to the character and appearance of the area, in conflict with Policies SP2, SP3 and DE1 of the South Kesteven District Council Local Plan 2011–2036 (adopted January 2020), Policy 2 of the Stamford Neighbourhood Plan (Made July 2022) and Section 12 of the Framework. These policies collectively, amongst other matters, seek to support high quality design which is in keeping with the character of the area and is sensitive to the setting of adjacent properties.

Conclusion

11. There are no other relevant material considerations worthy of sufficient weight that indicate the application should be determined other than in accordance with the development plan as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

J Gunn

INSPECTOR