
Appeal Decision

Site visit made on 14 August 2017

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 August 2017

Appeal Ref: APP/A2525/W/17/3175594

Land adjacent to No 13 Primrose Crescent, Pinchbeck, Spalding PE11 3RT

- 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 M Yould against the decision of South Holland District Council.
 - The application Ref H14-1251-16, dated 6 December 2016, was refused by notice dated 4 April 2017.
 - The development proposed is erection of a single 3 bedroom link-detached dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue for the purposes of this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is in a residential area within the defined settlement limits of Pinchbeck. It is part of the garden area of No 13 Primrose Crescent. The nearby properties are a mixture of houses and bungalows of similar age and design with a similar rhythm to spacing around Primrose Crescent. Some have been extended.
4. The appeal site currently makes a positive contribution to the general spaciousness of the street-scene at this prominent inside corner location. Due to the shape and size of the plot, the side wall of the proposed dwelling would be some 2m to 3.3m from the roadside boundary and would project forward of the building line of Nos 15-25 (odds). Most dwellings in the vicinity are set a generous distance from their road side boundaries. The proposed house, being so close to the road on one side, would therefore look obtrusive within the street-scene and, due to its scale and height, would erode its spacious nature.
5. The proposed plans show a rear garden approximately 7.55m long with a large proportion of it taken up by parking. Such restricted private amenity space would be out of keeping with the closest residential properties. This, together with the proposed turning area for the host property No 13 intruding into the front garden of the proposed dwelling, are further indications that the proposal is cramped, contrived and out of keeping with the pattern of existing development. In addition the need to raise the finished floor levels of the

dwelling to mitigate against potential flood risk would add to its prominence drawing more attention to its obtrusiveness.

6. I acknowledge that appropriate materials would be used for external walls and the roof and, notwithstanding the arched window in the side elevation, I consider the overall design would not be significantly out of keeping with the local area. In these respects the proposal would comply with parts of Policy SH14 of the South Holland Local Plan, 2006 (LP).
7. However, for the reasons set out above I conclude that the proposal would harm the character and appearance of the area by virtue of a reduction in the spacious pattern of development in the locality and would therefore not be high quality design. Consequently, I find conflict with Policy SG14(4) and (5) of the LP which seeks to protect character and appearance and with those principles of the National Planning Policy Framework (the Framework) that attach great importance to good design that respects the character of the local area. Accordingly it would not be environmentally sustainable. Whilst complying with parts of Policy SG14 of the LP, in failing to comply with key parts of it I conclude that the proposal cannot comply with the development plan taken as a whole.

Other Matters

8. The submitted Design and Access Statement refers to the encouragement of the use of brownfield land within settlements for development set out in Policies SG2 and HS6 of the LP and in the Framework. The site is within the settlement boundary but it is garden land in a built up area. As such it does not constitute previously developed land as defined in the Glossary of Annex 2 of the Framework and garden is a beneficial use of land. I therefore give the encouragement to reuse previously developed land relatively little weight.
9. I acknowledge that the Planning Committee refused the application contrary to the advice of Council Officers. However, I have reached my own conclusions based on the planning merits of the case.
10. I have been referred to examples of other planning permissions that have been granted nearby. Whilst full details of the planning history of these have not been provided, nothing that I have seen or read leads me to conclude that the development as proposed is acceptable on the appeal site.
11. The Council raises no objections in respect of the effect of the proposal on the living conditions of occupants of nearby properties or the effect on highway safety. From the available evidence I see no reason to come to any different views on these matters.

Planning Balance and Overall Conclusion

12. Paragraph 49 of the Framework requires housing applications to be considered in the context of the presumption in favour of sustainable development in Paragraph 14 of the Framework. Paragraph 14 also indicates that where relevant housing supply policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The Council cannot demonstrate an up to date five year housing land supply (HLS) and has confirmed that its supply at present is 3.65 years.

13. The proposed dwelling would be in a sustainable location in the Pinchbeck group centre where a moderate level of growth is deemed acceptable providing it is appropriate to the character of the area. It would make a very small contribution to the supply of dwellings in the area. These are factors in favour of the proposal. However, in spite of the considerable shortfall in HLS, I conclude that the adverse impact on the character and appearance of the area significantly and demonstrably outweighs the benefits when set against the policies in the Framework taken as a whole. The development would not be environmentally sustainable and consequently, would not be sustainable development as set out in the Framework.
14. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should not succeed.

SHarley

INSPECTOR