The Planning Inspectorate

Appeal Decision

Site visit made on 13 February 2019

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2019

Appeal Ref: APP/A2525/W/3197440
Former Gosberton Medical Centre, Low Gate, Gosberton, Spalding PE11 4NL

- 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 P and G Developments Limited against the decision of South Holland District Council.
- The application Ref H08-0895-17, dated 19 September 2017, was refused by notice dated 18 December 2017.
- The development proposed is residential development.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The South East Lincolnshire Local Plan 2011-2036 Adopted March 2019 (LP) has been adopted since the Council's decision notice was issued. I have therefore made my determination having regard to the new LP, which supersedes the policies of the South Holland Local Plan, 2006. The main parties have been given an opportunity to comment on the new LP, and any responses have been taken into account in my assessment.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area; and, the living conditions of neighbours and future occupiers.

Reasons

Character and appearance

1. The proposal is for the erection of 5 dwellings on land that formerly accommodated the Gosberton Medical Centre and has been now been largely cleared. The adjoining area is mainly comprised of individually designed dwellings located within generous and landscaped plots that contribute significantly to the spacious and verdant character and appearance here.

2. In contrast, the substantial extent of the proposed dwellings in close proximity to each other, and in parts to the boundaries of the site would result in the introduction of an intensive urban form within the site. I consider that this arrangement would appear contrived and of poor design that would not reflect the established pattern of development here, where dwellings have more

generous space about them. Consequently, the proposed development would erode the spacious and verdant character and quality of the area.

3. For the above reasons, the proposed development would unacceptably harm the character and appearance of the area. This would be contrary to the aims of Policy 2 of the LP, which amongst other things requires that new developments respect the character and appearance of the area.

Living conditions

4. In considering the overall quality of the proposed development for future occupiers and neighbours, the main parties have not referred me to any specific requirements in respect of private amenity space or distance standards for space about dwellings. Therefore, I have considered the proposal on its merits.

5. The proposed amenity areas for each dwelling incorporate a practical layout and would be directly accessible from their respective properties. In the absence of any clear evidence to the contrary, I am satisfied that the sizes of the proposed amenity areas would be sufficient to meet the needs of future occupants.

6. However, due to the proposed layout, the first-floor rear facing windows of properties on Plots 1 and 2, would to a large extent overlook the amenity space associated with Plot 3, to the significant detriment of the privacy of the future occupiers of this property. In respect of the bungalow at Plot 5, a large number of the windows associated with this property would be in close proximity to, and largely enclosed by shared boundary fencing and the siting of the garage for this property. This arrangement would result in a particularly oppressive and bleak outlook for its future occupants.

7. The submitted layout would also result in a considerable extent of development close to the shared western boundary of the site. This level of development above the height of existing boundary treatments would have a considerable enclosing and dominating effect on the outdoor areas associated with neighbouring dwellings to the west of the site.

8. For the foregoing reasons, the proposed development would have an adverse impact on the living conditions of future occupants and neighbours. I therefore find conflict with Policy 3 of the LP, which amongst other matters seeks to ensure that new developments deliver high quality places which secure residential amenity.

Other Matters

9. The previously approved schemes[1] at the site are materially different in layout, scale and appearance to the appeal scheme. These, along with the improved financial viability of the development do not alter my findings on the main issues.

Planning balance

10. On the evidence before me, the Council cannot demonstrate a 5-year housing land supply, and so paragraph 11 of the Framework is engaged. The proposal

[1] H08 -0036-16 – Approved for 3 terraced style dwellings and 2 bungalows and H08-0748-18 – Approved for 4 detached bungalows

would result in the redevelopment of a brownfield site. However, as the proposed development is for five dwellings it would make only a modest contribution towards the housing shortfall locally and so the benefits of the proposals carry only moderate weight in favour. On the other hand, the Framework places emphasis on good design and requires that developments are sympathetic to local character. It also seeks to secure a high standard of amenity for existing and future users. The proposed development would have a materially harmful effect upon the character and appearance of the area and the living conditions of future occupants and neighbours, to which I attach significant weight. Therefore, the adverse impacts would significantly and demonstrably outweigh the benefits and so the proposal would not represent sustainable development.

Conclusion

11. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR