
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: 21 May 2019

Appeal Ref: APP/A2525/W/18/3197374

2 Postland Road, Crowland, Spalding PE6 0JA

- 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 A Nobbs against the decision of South Holland District Council.
 - The application Ref H02-0996-17, dated 17 October 2017, was refused by notice dated 8 December 2017.
 - The development proposed is described as 'Proposed dwelling on land at 2 Postland Road, Crowland.'
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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.

Reasons

Character and appearance

4. The appeal site forms part of the garden of 2 Postland Road (No 2) a detached chalet bungalow located within a generous and prominent plot. To the east of the site is a school building, set back from the highway. To the west is a bungalow with a deep fore garden which faces Kemp Street (No 1). The front garden of this property and No 2 are predominantly grassed and enclosed by low fencing and planting, respectively. In combination with the low-lying design of these dwellings, the landscaped frontage of the school and the public space opposite, they contribute to the open, spacious and verdant character and appearance of this area.
5. Nearby dwellings are predominantly two-storey and there are some variations locally in how plots and buildings align with the highway. Nevertheless, along

the northern side of Kemp Street and along Postland Road which includes the appeal site, there is generally a consistent arrangement of buildings set back from the highway behind generous frontages, giving this part of the area a distinguishable pattern of development. This is notably different to the arrangement along the opposite side of Kemp Street and along Hall Street where buildings are generally located closer to the highway.

6. The proposed dwelling would be of traditional form and materials which are informed by the varied local vernacular. However, due to its overall height and generous footprint it would be of a sizeable scale. In introducing development of this scale into an area that is currently free of any development, the proposal would erode the open and spacious character and quality of the area.
7. Notwithstanding the overall size of the proposed plot and the incorporation of a front garden with landscaping, the new dwelling would be appreciably forward of the frontages, and closer to the highway than the neighbouring bungalows. This combination of siting and scale would create a cramped and incongruous form of development that would appear contrived and at odds with the established pattern of development here.
8. Furthermore, the prominent location of the site would amplify the incongruous effect noted above, particularly in views from along Postland Road and when approaching the site from Hall Street and Cluttons Close.
9. 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 the scale and layout of new development respects the character and appearance of the area and the relationship to existing development.

Living conditions

10. Despite projecting forward of No 1, the new dwelling would be set back from the shared boundary with this property. Therefore, the extent of any additional overshadowing would be limited. However, by being located to the south-west and close to No 2, the new dwelling would materially increase levels of overshadowing, later in the day, in respect of this property. Particularly in regard to the front facing window and part of the garden closest to the boundary with the appeal site. This effect would be particularly noticeable in the winter months, when the sun reaches a lower point in the sky.
11. Based on the foregoing, the proposed development would have an adverse impact with regard to overshadowing on the host property. I therefore find conflict with Policy 3 of the LP, which amongst other matters seeks to ensure that new developments safeguard residential amenity.

Other Matters

12. The appellant has referred to examples of approved developments in support of the proposals, the nearest is the dwelling constructed under planning permission H02-0145-15, this infills between two sizeable buildings and is located along a similar building line to them. From the information available to me the dwellings approved under permissions H02-2047-14 and H02-0750-14 are also broadly consistent with their respective building lines. The Council has also confirmed that these developments did not impact on the living conditions of neighbours. These examples are therefore not comparable to the appeal

scheme and I attach limited weight to them. In any event, each application is determined on its merits. Accordingly, I have determined this appeal on the merits of the proposals.

13. I have taken account of the appellant's personal circumstances for pursuing the proposals and the sustainable location of the site. These matters individually or cumulatively do not outweigh the harm I have already identified.
14. I note that the appellant sought pre-application advice and modified the proposals. However, these matters are separate from the appeal process, as are any concerns the appellant may have over the processing of his planning application including the nature of representations made by third parties.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR