The Planning Inspectorate

Appeal Decision

Site visit made on 6 June 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2023

Appeal Ref: APP/A2525/W/22/3313293
Land rear of 29/31 North Street, Crowland, Lincolnshire PE6 0EG

- 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 Paul Milward against the decision of South Holland District Council.
- The application Ref H02-0608-22, dated 20 June 2022, was refused by notice dated 7 October 2022.
- The development proposed is described as "new barn stye dwelling".

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Part of the appeal site lies within the Crowland Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Main Issues

3. The main issues are the effect of the development on (i) the character and appearance of the area, including the Crowland CA, and (ii) highway and pedestrian safety.

Reasons

Character and appearance

4. No.29/31 North Street are two-storey terraced houses with long rear gardens. The appeal site is a narrow rectangular plot to the rear of these dwellings, accessed via Clutton's Close. In the vicinity of the site there is a mix of housing types. There is no prevalent character on Clutton's Close and dwellings which front North Street lie within the CA and are predominantly two-storey terraces or semi-detached dwellings.

5. The proposed dwelling would be two-storey of a barn-like appearance constructed of brick to the ground floor with a wooden clad finish to the first floor. The buildings within the vicinity of the site largely consist of sheds and barns behind the houses and shops on North Street and are ancillary structures, not dwellings. As such, I do not consider them to be directly comparable to nearby buildings north of the appeal site referred to by the appellant. In any event, the proposed dwelling would be considerably larger in

scale and height than the nearby structures and of the previous garages which occupied part of the appeal site.

6. In the locality structures are subservient to the main properties and are generally positioned within close proximity to the back edge of the highway. The scale and vertical proportions of the proposed dwelling, its proximity to the boundaries of the site and its position set back from the edge of the plot, would be at odds with the prevailing character and appearance of development in the locality. Being set back significantly within the site results in the built form protruding into an otherwise relatively open space to the rear of properties which front North Street. In addition, the introduction of a narrow, tall building, which extends most of the width of the site would result in a visually cramped form of development which would have a harmful effect on the openness of the elongated plot.

7. The CA is based around the medieval core of the town and straddles North Street, South Street, West Street and encompasses East Street, Abbey Walk and the area surrounding Crowland Abbey. In my view the significance of the CA derives from the historic town centre with its mix of commercial, residential and social uses in relatively densely developed buildings of simple form and historic layout located on the back edge of the footpath and extending back in their plots.

8. The properties fronting North Street with narrow long linear gardens illustrate the surviving pattern of medieval burgage plots and contribute positively to the historic environment. In addition, from Clutton's Close the rear of the North Street properties, with their extended plot depths and relatively narrow widths, are clearly visible and form part of the spacious setting that influences the character of the CA.

9. The proposed dwelling would be set back from Clutton's Close, would take up much of the appeal site width and would be considerably higher than other adjacent buildings at the rear of North Street. Because of its siting, scale and form the proposed dwelling would be markedly dissimilar to single storey structures adjacent to it and would be conspicuous by virtue of its height and siting and its overly large footprint when viewed from Clutton's Close. The proposal would appear cramped on its plot and would erode the sense of spaciousness to the rear of North Street that contributes to the CA and its setting. Consequently, because of its design and siting, the proposal would neither preserve nor enhance the character or appearance of the CA and detracts from its setting, although the harm would be less than substantial.

10. Paragraph 202 of the National Planning Policy Framework (the Framework) states that less than substantial harm to the significance of a designated heritage asset (in this case the CA) should be weighed against the public benefits of the proposed development.

11. I note the benefit of incorporating energy efficiency measures into the build, seeking to meet environmental targets. I acknowledge the economic benefit from the dwelling's construction and from potential local employment and spending. However, these are only very minor benefits given the quantum of development proposed. I also acknowledge that the proposal would make a positive contribution to housing supply. Nonetheless, given that the Council's ability to demonstrate adequate housing land supply is not contested, the net benefit of an additional unit is minimal. Whilst these matters would be of some

limited public benefit, they do not outweigh the great weight that should be given to the asset's conservation.

12. I conclude that the proposed development would unacceptably harm the character and appearance of the area, including the Crowland CA. This would be contrary to Policies 2, 3 and 29 of the South East Lincolnshire Local Plan 2011-2036 (LP). Amongst others, these policies seek to retain existing street patterns and historic building lines and achieve high quality design which reinforces local distinctiveness with reference to height, massing, form and plot widths. The proposal would also conflict with the Framework where it seeks to ensure that development would add to the overall quality of the area and be sympathetic to local character.

Highway and pedestrian

13. The proposed dwelling would be accessed via Clutton's Close. This is a single-track highway with narrow verges. Whilst noting that Clutton's Close is lit and is used by a variety of vehicles, including commercial vehicles, at my site visit I observed limited opportunities for on-coming vehicles to pass one another and that there are no footways or a turning area at its end.

14. Whilst I noted the parking restrictions in the vicinity of the junction of Clutton's Close with Kemp Street, I also observed the presence of vegetation which forms a boundary to the carriageway edge, obscuring the visibility of emerging road users from Clutton's Close.

15. Even if the appeal site had been used for two garages a dwelling would result in some intensification of the use of the access due to associated uses ancillary to a dwellinghouse. For visitors and deliveries to the proposed dwelling there is no obvious way of turning for such vehicles. Since the access is used by a number of other properties there would likely to be conflict with other users of the highway.

16. There are no details of additional passing places or alternative turning areas in the appeal submission. Moreover, there is no evidence to suggest that any land that would be required to provide such is in the ownership of the appellant. The potential for these has therefore had no bearing on my decision.

17. The appellant states that there are no traffic accident reports for the road. However, from the information before me there is little evidence to substantiate this.

18. There is no evidence before me to suggest that the proposed development would not meet the criteria of Policy 3 of the LP, as I am satisfied that sufficient parking and bin storage would be available for the future occupiers of the proposed dwelling.

19. I consider that the increase in vehicular and pedestrian movements resulting from the development would increase the risk of conflict on the highway between other road users. The proposal would therefore result in unacceptable harm to highway and pedestrian safety and would conflict with Policy 2 of the LP which requires access and vehicle generation levels to be adequately accommodated. I also find conflict with the Framework which sets out that development should be prevented or refused where there would be an unacceptable impact on highway safety.

Other Matters

20. I have found no harm in respect of the living conditions of the occupiers of existing dwellings and archaeology. If I were to allow the appeal conditions for bin and cycle storage could be imposed. However, these are all neutral factors which weigh neither for nor against the development.

21. My attention has been drawn to permissions in the locality, particularly at Hereward Way. However, from the limited information available to me, and as observed on my site visit, the nature of the development and context of the sites differ. I also understand that a number of permissions were issued under a different Local Plan. As such, they are not directly comparable to the development, which I have considered on its own merits.

22. Whilst I note that the appellant would be amenable to make some design changes. However, for the purpose of this appeal I must consider the plans and evidence before me.

23. I note the concerns of the appellant regarding some delays and difficulties in the engagement of the Council in determining the application. However, I can only deal with the planning merits of the case.

Conclusion

24. The proposal conflicts with the development plan as a whole. With no other material considerations outweighing this conflict, including the Framework, for the reasons given above the appeal is dismissed.

R Gee

INSPECTOR