



Appeal Decision

Site visit made on 23 March 2026

by K Allen MEng (Hons) MArch PGCert ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 01 April 2026

Appeal Ref: 6004469

14 Cross Street, Fleet, Spalding, PE12 7BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Adrian Wright against the decision of South Holland District Council.
 - The application Ref is H05-0861-25.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the residents of Nos 14 and 18 Cross Street, with particular regard to privacy and dominance.

Reasons

Character and appearance

3. The appeal site comprises a large outbuilding associated with No 14 Cross Street and an area of garden land. Whilst there is some variety in scale and design within the wider area, the south side of Cross Street is characterised by low-density, road facing bungalows, including at least one chalet bungalow, with a varied building line backing onto open countryside. There is a general consistency in scale and a pleasant degree of spaciousness which positively contributes to the less dense, edge of settlement character.
4. The proposal would omit some of the notable features of the previous scheme¹ which contributed to its two-storey appearance, including dormer windows and a road facing gable. Whilst a chalet design would not necessarily be at odds with the surrounding dwellings and would allow for an efficient use of space, the proposal would be significantly taller than the neighbouring properties, including Green Lodge. Although it would be subdivided into two distinct elements and only fill 33% of the site, the proposal would appear incongruous with the more modestly scaled bungalows on this side of Cross Street, to the detriment of the edge of settlement character.

¹ Appeal Reference: APP/A2525/W/23/3329045

5. My attention has been drawn to the properties opposite the appeal site and their differences in height. Despite the proximity, the context is notably different, including the grouping of dwellings of a similar height and their position in relation to the edge of the settlement and surrounding open countryside. Moreover, the existence of other development which the appellant considers to be comparable does not justify the harm identified to the character and appearance of the area as set out previously.
6. I note that detached dwellings of a certain age can extend upwards under permitted development, subject to limitations and conditions. Nevertheless, I have no substantiated evidence before me to suggest that any of the surrounding dwellings will be extended in this manner and so this matter does not alter my findings as above.
7. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036 (March 2019) (LP) where amongst other things, they require development to be of a high-quality design, considering impact on character and appearance of an area and the relationship to existing development, including size, scale and layout.
8. It would also be contrary to the National Planning Policy Framework (Framework) where it requires development to add to the overall quality of the area, be visually attractive as a result of good architecture and layout and to be sympathetic to local character, including surrounding built environment and landscape setting.

Living conditions

9. The existing outbuilding sits in front of both Nos 14 and 18 Cross Street but does not extend behind their rear elevations. Both properties benefit from an open outlook across their respective rear gardens towards the open fields in the south.
10. The front elevation of the proposed dwelling would be in a similar position to the existing outbuilding; however, it would extend behind both of the neighbouring properties. Whilst it would be substantially behind No 14, there would be sufficient separation so as not to be oppressive to the residents of No 14, when viewed from both inside and outside of the property.
11. Conversely, the proposal would introduce a substantial built form in close proximity to the boundary with No 18. I note that the roof would be partially hipped, only reaching its full height when in line with the rear wall of No 18 and that only 22% of the rear garden west boundary of No 18 would be affected. Moreover, the proposal would not break the 45 degree rule from the kitchen window of No 18.
12. Nevertheless, the proposal would extend along a significant proportion of the patio area and would protrude considerably above the fence line. As such, it would be a dominant feature when viewed from the habitable rooms nearest the proposal and from No 18's patio area. Due to its position adjacent the boundary and its overall scale, it would have an overbearing and oppressive effect, to the detriment of the residents of No 18.
13. The proposal would introduce side facing rooflights at first floor level. The appellant asserts that the shallow roof angle would limit the ability of future users to gain views out of these windows and that they are intended to provide additional

daylighting only, with primary views towards the rear. Given the heights of the first floor and rooflights, views from these windows would be possible.

14. Whilst the windows serving the walk-in wardrobe and ensuite would face the gable of No 18, the remaining windows would provide clear views across the rear gardens and side facing windows of the neighbouring properties. However, a condition could be imposed to ensure that the windows in question were non-opening below 1.7m and obscurely glazed, allowing for the proposal to maintain the privacy of the adjacent residents.
15. Although I am satisfied that the proposal would not detrimentally affect the privacy of neighbouring residents, or appear dominant when viewed from No 14, I conclude that the proposal would harm the living conditions of the residents of No 18 Cross Street, with particular regard to dominance. It would conflict with policies 2 and 3 of the LP where they collectively require development to consider the impact upon residential amenity, including visual intrusion. Similarly, the proposal would conflict with the Framework, where it seeks to ensure a high standard of amenity for existing users.

Conclusion

16. For the reasons given above, I conclude that the proposal would conflict with the development plan, as a whole, and there are no material considerations, including the provisions in the Framework, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

K Allen

INSPECTOR