

Appeal Decision

Site visit made on 12 April 2016

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 27 April 2016

Appeal Ref: APP/A2525/W/15/3138630

Wentworth, Woolbarn Yard, Holbeach, Lincolnshire, PE12 7LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr S Cole against the decision of South Holland District Council.
 - The application Ref H09-0743-15, dated 5 August 2015, was refused by notice dated 2 November 2015.
 - The development proposed is residential development – erection of dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline, with approval for access and scale being sought at this stage. I understand that the detailed floor plan for a bungalow has been submitted for illustrative purposes.
3. The planning application form does not contain a description of the proposed development. That used in the summary above has been taken from the Council's decision notice. It was repeated on the appeal form.

Main Issues

4. I consider that these are whether the proposal would firstly, be provided with a safe means of access; secondly, provide satisfactory living conditions for incoming and adjoining residents; and thirdly, be consistent with the character and appearance of its surroundings.

Reasons

5. The appeal site comprises the large side garden of a sizeable residential plot currently occupied by a small bungalow (named Wentworth). Access would be taken from Woolbarn Yard. This is a private lane that services several backland plots, and connects them to Boston Road South.

First main issue – highway safety

6. The section of Woolbarn Yard between the appeal site and the public highway is straight, and about 50 metres long. The entrance point, between buildings
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fronting onto the road, is barely 4 metres wide, allowing for a protective pole placed against one of these buildings. There is evidence of vehicle damage to the adjoining buildings. The narrowness of the Yard at this point could result in queuing traffic on Boston Road South, if a vehicle was waiting to enter the Yard as another was about to leave. The situation could be exacerbated if vehicles were parked near side doors to the veterinary practice on the north side of the Yard. The impedance of traffic would be undesirable on a main road that feeds into the town centre from the A17 bypass. However, a driver seeking to enter the Yard could readily see another vehicle near the entrance. As a result, I see less likelihood of a driver entering and then having to reverse out to make room for the exiting vehicle. Such a manoeuvre would indeed be prejudicial to highway safety.

7. The main concern is restricted visibility for drivers leaving the Yard. Visibility is good to the right, as the building on that side is set back behind an open forecourt. Users of the footway as well as the carriageway can be seen for a good distance away. The problem is in the other direction, to the left (north). Here the existing building abuts the back of a narrow footway. Drivers can see very little of approaching pedestrians until they are almost directly in front of them. Vehicles can be seen from only a short distance away. This distance only improves materially as a driver begins to pull out into the nearside carriageway. Traffic was intermittent at the mid-morning time of my site visit, but quite busy at times, including heavy vehicles. Gaps can arise because of a pedestrian crossing just north of the access point, but the entrance to a large car park, diagonally opposite, provides a potential source of conflict.
8. Woolbarn Yard serves a number of properties, including residential and commercial, and I saw several parked vehicles that must use the Yard to reach the public highway. No evidence of accidents has been presented to me. Nevertheless, I consider that additional use of a substandard access onto a main road should not be encouraged. The appeal proposal would result in a tangible albeit limited increase in traffic using Woolbarn Yard. In the absence of any management measures to improve visibility from exiting vehicles, or otherwise reduce the possibility of danger to other highway users, I consider that this would pose an unacceptable risk to highway safety.
9. I conclude that the proposal would not be provided with a safe means of access. The development would pose an additional risk to highway safety for both pedestrians and vehicles. Such an outcome would be contrary to Policy SG15 in the South Holland Local Plan (2006). This policy requires new development to provide safe and convenient access to and within the site. This is to be done in ways that meet safety and functional requirements.

Second main issue – living conditions of residential occupiers

10. The appeal site is adjoined to the north by the blank façade of a tall youth centre building and to the east by a company dealing in bathrooms, heating and plumbing services. The latter is separated from the appeal site by a high brick wall. The Council is concerned about noise and disturbance from these non-residential uses. However, no evidence has been presented in support of this assertion, and I am able to give it little weight.

11. The access to the new dwelling would make a tight turn past Wentworth and then run roughly alongside the eastern boundary of the site. The existing and new plots would be separated by a 1.8 metre close boarded fence. The side of Wentworth towards the appeal site contains some windows. The main aspects would remain towards to an ample retained garden on its northern and, especially, western sides. The detailed relationship between the two dwellings would be determined at the reserved matters stage. It would not be unduly cramped for this part of Holbeach. I see no reason why an acceptable level of amenity could not be secured for both existing and incoming residents, if a dwelling of the scale indicated was to be built.
12. I conclude that the proposal would provide satisfactory living conditions for incoming and adjoining residents, satisfying the requirements of Local Plan Policies SG14 & SG17 not to cause material harm to residential amenity.

Third main issue – effect on character and appearance of surroundings

13. The garden of Wentworth is large compared to the small bungalow on it. It is separated only by a low hedge from the much larger, open grounds to the west (which I was told is garden space to the rear of The Priory). There is thus a feeling of openness looking out from the appeal site. However the site itself has existing buildings on 3 sides, and the site layout shows that erecting a 3 bedroom bungalow would still leave a mainly open site. A single storey dwelling would be in scale with its immediate neighbour. There is other backland residential use near the site, so residential development on it would be in character with the local pattern of development.
14. The access into Woolbarn Yard is within the Holbeach Conservation Area. No physical changes are proposed at this point. The appeal site itself cannot be seen from here or, so far as I could ascertain, from other public viewpoints within the conservation area. The development would not have a significant effect on views into or out of the conservation area. Consequently I consider that the setting of the conservation area would be preserved.
15. I conclude that the proposal would be consistent with the character and appearance of its surroundings. No harm would arise in this respect with regard to the provisions of Policy SG14, which include such matters as local distinctiveness and the historic pattern of development in the locality.

Overall conclusion

16. I have found in favour of the proposal in relation to living conditions and character and appearance. The proposed scale of development would be acceptable. However, I consider that these findings should not outweigh my concern regarding access to the site, in particular the risk of physical harm to highway users on Boston Road South.
17. Consequently and on balance, I conclude overall that outline planning permission should be withheld, and I dismiss the appeal.

G Garnham

INSPECTOR