
Appeal Decision

Site visit made on 3 June 2015

by Ian McHugh DIP TP MRTPI

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

Decision date: 23 June 2015

Appeal Ref: APP/A2525/W/15/3005847

18 Broadway, Crowland, Peterborough, PE6 0BJ

- 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 K Pateman against the decision of South Holland District Council.
 - The application Ref H02-0838-14, dated 2 October 2014, was refused by notice dated 26 November 2014.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area.
 - The effect of the proposal on the living conditions of the occupiers of neighbouring residential properties, with particular regard to outlook and natural light.
 - The effect of the proposal on highway safety.

Reasons

Character and Appearance

3. The appeal site is part of the existing garden and car parking area of number 18 Broadway (number 18), which is an end of terrace dwelling that is situated in a primarily residential area. Number 18 sits at right angles to the road, with its side wall parallel to the highway. The area contains a mixture of house types and sizes, but a common characteristic is that they are mainly laid out in a traditional manner i.e. set back from the road with front and rear gardens. A private driveway to the east of the site serves number 18 and neighbouring dwellings to the north. A single-storey extension at the adjoining property, number 20 Broadway (number 20) directly faces the appeal site.
 4. The appeal proposal is to construct a two bedroom, two-storey detached dwelling, which would be positioned adjacent to the edge of the pavement, and
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close to part of the existing main elevation of number 18. Two car parking spaces (one for number 18 and one for the new dwelling) would be provided at the rear of the proposed building, accessed off the private driveway referred to above.

5. In my opinion, the proposed dwelling would be at odds with the prevailing pattern of development locally, because of its positioning adjacent to the pavement and its close proximity to number 18. It would also reduce the amount of existing space in front of number 18. As a result, the proposal would appear cramped and would be unacceptably harmful to the character and appearance of the area. It would therefore conflict with Policy SG15 of the adopted South Holland Local Plan 2006 (LP), which seeks to ensure that new development makes a positive contribution to the architectural and visual quality of its surroundings. The proposal would also fail to accord with paragraphs 17 and 58 of the National Planning Policy Framework (the Framework), which state (amongst other things) that planning should seek to secure high quality design; and reflect the identity of local surroundings.

Living Conditions

6. The close proximity of the proposed dwelling to part of the main elevation of number 18 and also to the south facing elevation of the extension at number 20 (both of which contain main windows), coupled with its two-storey height would, in my opinion, have an unacceptably overbearing and oppressive effect on the outlook from both of these properties. I consider that this would be harmful to the living conditions of their occupiers. In addition, there would be some overshadowing of rooms and garden areas at certain times of the day, which would add to the harm that I have identified.
7. The Council also expresses concern that the proposal would result in some loss of privacy, due to first floor windows in the proposed dwelling overlooking the extension at number 20. However, the two first floor windows of the appeal dwelling would serve a bathroom and landing area. I see no reason why a condition requiring them to be obscure glazed with high level openings could not be imposed on the planning permission, should the appeal be allowed. Consequently, on this matter, I attribute little weight to the Council's concern.
8. Policy SG17 of the LP states that "planning permission will be granted for development which would not cause material harm to residential amenity". This policy is consistent with paragraph 17 of the Framework, which requires planning to secure a good standard of amenity for all existing and future occupiers of land and buildings. For the reasons given above, the proposal would conflict with both the LP and the Framework.

Highway Safety

9. The Council and the Highway Authority (HA) contend that the proposed position of the appeal dwelling would significantly reduce visibility to the right for drivers emerging onto Broadway from the private driveway that presently serves the appeal site and neighbouring properties. Evidence provided by the HA states that visibility to the edge of the carriageway would be reduced to 11m, whereas highway standards require a distance of 43m for roads such as Broadway.

10. I accept that it is not always possible to achieve such distances in built-up areas. However, at my site visit, I observed that Broadway was subject to regular vehicle flows in both directions. Although visibility would not be impaired to the left when emerging from the site, the significant reduction to the right would present a significant danger to the occupiers of vehicles using the private drive and to other road users and pedestrians on Broadway. Therefore, the proposal would conflict with Policy SG15 of the LP which requires (amongst other things) development to provide a safe and convenient access to and from the site.

Conclusion

11. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR