The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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East Midlands Design Associates
Willow Lodge
Horeshoe Road
Spalding
Lincolnshire
PE11 3JA

Your reference:
92/02

Our reference:
T/APP/A2525/A/92/205174/205175/P8

28 JUL 92

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEALS BY (1) MR & MRS M R SENIOR and (2) TRADEMASTER CONSTRUCTION LTD
APPLICATION NOS: (1) H14/0087/92 and (2) H14/1144/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeals. These appeals are against the decisions of the South Holland District Council to refuse planning permission for (1) 2 bedroom bungalow and garage on land at Six House Bank, West Pinchbeck, Spalding and (2) 3 bedroom bungalow and garage to include non compliance with Condition 5 of outline approval on land at John's Patch, Six House Bank, West Pinchbeck, Spalding. I have considered the written representations made by you and by the Council and also those made by the Pinchbeck Parish Council directly to the Council which have been forwarded to me. I inspected the site on 6 July 1992.

2. The appellants in each of these cases are different but there is a single agent. Both appeals concern similar proposals on adjoining sites and although some considerations differ the principal issue in each case is similar. It is for these reasons that the appeals are related and are being dealt with together.

3. That part of the second application concerning non compliance with Condition 5 of the earlier outline planning permission relates only to the associated detailed proposals. There is no indication of an application for Condition 5 to be set aside generally. The Council has clearly considered the application on this basis and I have done the same.

4. From my inspection of the sites and their surroundings and having read the representations I have concluded that the principal issue in each of these cases is whether the proposed development would harm the character of the area.

S.H.D.C. PLANNING DEPT.
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5. The Council has adopted three guidelines for development control purposes in Six House Bank. Both sets of proposals meet the criterion requiring the drain to be piped and there is only a marginal shortfall to which the Council has not objected in the frontage of the northern plot. The southern plot, however, would be 6.4 m narrower than the 30 m min. contemplated by the Guidelines. In addition, the developed frontages would exceed the 60% max requirement of criterion 3 by 10.5% in the case of the northern site and a little under 6% in relation to the southern site. These are, however, non statutory Guidelines. Having regard also to the lack of consensus expressed by the limited public response to the consultation exercise it seems to me that the Guidelines have a relatively low standing as a material consideration. In my opinion in this case the actual character of the surrounding development is of greater significance and non compliance with the Guidelines is insufficient by itself to justify the refusal of permission.

6. The appeal sites are situated within a group of two semi detached bungalows to the south and three detached bungalows to the north. Plot frontages vary considerably. Scaling from the O.S. map, two of the five bungalows have frontages of less than 30 m. In the case of the semi detached bungalow abutting the southern site, the frontage is only about 15 m. However this fact is not immediately apparent because the pair of dwellings Brookside and Brookside Cottage together have virtually the same outward appearance as a single detached dwelling on a relatively wide plot. In addition, the existing buildings are situated relatively close to their flank plot boundaries. These facts give the locality of the appeal site an open and spacious character with views between buildings to the open fenland beyond.

7. In both cases the proposed bungalows and their separate garages would be situated close to their flank site boundaries. The only significant break in the developed frontages would be the gaps between bungalows and their garages. These gaps would be restricted to 5.5m and 5.0m for the northern and southern sites respectively. Although there could be restricted views towards the western fenland, effectively I believe the appeal sites would each have a cramped and overdeveloped appearance. As a result implementation of either set of proposals would cause unacceptable harm to the spacious character of the surrounding area. If both sets of proposals were to be permitted, there would be a fundamental change in the appearance of the locality. Nevertheless, in arriving at these conclusions I have for the avoidance of doubt, considered the proposals for each site individually.

8. Although simple partial non compliance with the Guidelines is insufficient to justify the refusal of permission, the harm which each of the developments would cause to the character of the area is more than adequate to withhold permission.

9. I have considered all the other matters raised in the representations but have not found any so cogent as to outweigh the considerations which have lead me to these conclusions.

10. For the above reasons, and in exercise of the powers transferred to me I hereby dismiss these appeals.

I am Gentlemen
Your obedient Servant

F J THOMPSON BSC FRICS IRRV
Inspector

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SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H14/1144/91 Received:31-DEC-91 Type:FULL

Name: Trademaster Construction Ltd.
143 Hawthorn Bank
Spalding
Lincs

Agent: E. M. D. A.
"Willow Lodge"
Horseshoe Road
Spalding
Lincs PE11 3JA

Description: 3 bed bungalow and garage to include non compliance with Condition 5 of Outline approval
Location : John's Patch Six House Bank
West Pinchbeck Spalding

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

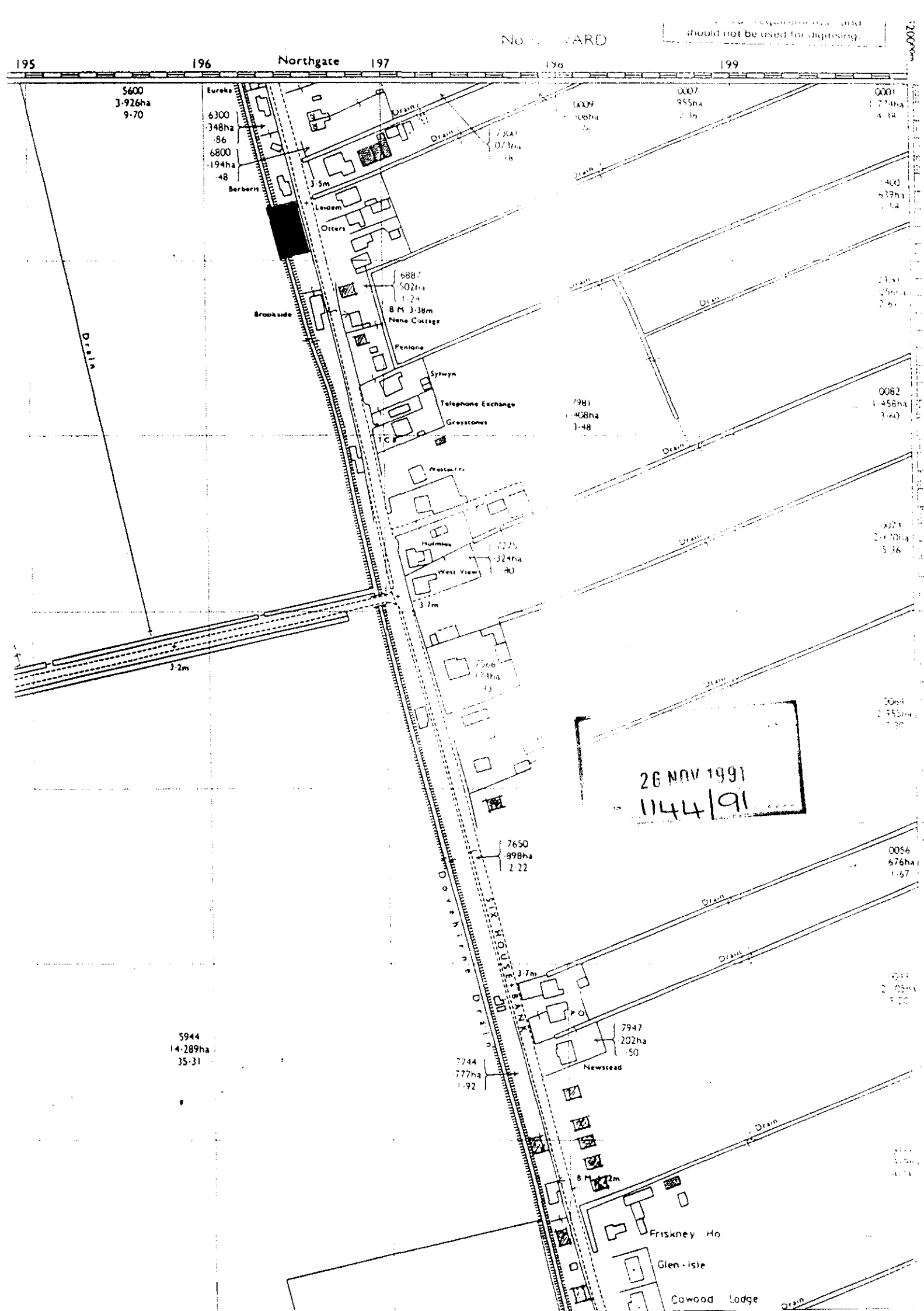
1 The plot is situated to the west of the road called Six House Bank. A field abutts the western boundary and a bungalow adjoins the northern boundary of the site. Another bungalow is sited to the south of the plot beyond a small parcel of land which does not form part of the application site. In the opinion of the Local Planning Authority the character of the surrounding area is low density with small dwellings on large sites. The proposal results in the dwelling covering a large proportion of the site and owing to this the proposal is considered to be out of character and harmful to the amenities of the location. The Local Planning Authority have produced a policy requiring that the dyke piped, the site is a mimimum of 30 metres width and only 60% of the site frontage is built upon. The proposal does not fully accord with this policy which was adopted to try to maintain the low density character on the west of Six House Bank.

Director of Planning and Building Control Services
25-FEB-92 H14/1144/91

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)



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Sylwyn
Telephone Exchange
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