SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/0015/94 Received:07-JAN-94 Type:OUTLINE

Name: Mr J A S Thurston
42 Rotten Row
Pinchbeck
Spalding
Lincs

Agent: G H Barnsdale
16 Low Road
Spalding
Lincs

Description: Demolish existing 16 lock-up garages and erect four flats for senior single persons
Location : Rear of 154 & 156 Pennygate Spalding Lincs

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

1 In the opinion of the Local Planning Authority, the development as proposed represents an overdevelopment of this small backland site and would appear unduly cramped in comparison with other dwellings in this vicinity. The proposed dwellings would affect the amenities and privacy of adjoining dwellings and also suffer from unacceptable levels of overlooking and as a consequence enjoy a sub-standard level of residential amenities.

2 The proposal does not provide adequate off-street car parking for the number of flats. Vehicles calling at the site would have inadequate room to manoeuvre leading to long reversing movements down the narrow driveway out onto Pennygate to the detriment of the safety of pedestrians and other highway users. Also the number of vehicular movements which could be generated by four properties would lead to problems on this narrow drive.

Director of Planning and Building Control Services
21-FEB-94 H16/0015/94

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)



SOUTH HOLLAND
DISTRICT COUNCIL
PLANNING DEPARTMENT

APPEAL BY

MR J A S THURSTON

APPEAL SITE

B.SMITH M.R.T.P.I.
DISTRICT PLANNING OFFICER

PRIORY ROAD, SPALDING.

SCALE 1:2500	JUNE 1994
PLAN 'A'	N

238508.HD1

The Planning Inspectorate

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

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S.H.D.C. PLANNING DEPT.
RECEIVED
24 AUG 1994

R Longstaff & Co
5 New Road
SPALDING
Lincs
PE11 1BS

Your Reference:

Our Reference:
T/APP/A2525/A/94/238508/P8

Date:
23 AUG 1994

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY J A S THURSTON
APPLICATION NUMBER:- H16/0015/94

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the South Holland District Council to refuse outline planning permission in respect of an application for the demolition of 16 lock up garages and erection of 4 flats for senior single persons on land at the rear of Nos 154 and 156 Pennygate, Spalding. I have considered the written representations made by you and by the Council and also those made by interested persons including those made directly to the Council and forwarded to me. I inspected the site on 15 August 1994.

2. From my view of the site and its surroundings and having read the representations it is clear to me that the major issue in this case is the quality of environment which would be provided for existing and future occupiers and the impact of the scheme on highway conditions in the locality.

3. In the absence of any relevant development plan policies, I propose to deal with this application on its merits. The appeal site is a garage court reached by an access between numbers 152 and 154 Pennygate. At my visit, the width of the access was measured as varying between 2.6m and 2.9m. The garages are now mostly unused but not in derelict condition. The site is bordered by the back gardens of dwellings and is overlooked from first floor windows to the north and west.

4. This application is in outline with the matters of access and siting included and you have also provided an illustrative layout plan with elevations. This shows 4 single storey one bedroomed dwellings which might more accurately be described as bungalows rather than flats. They would be arranged around

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RECYCLED PAPER

a small courtyard which would form a vehicle turning area and no gardens would be provided.

5. Having considered the size and setting of the appeal site, I have come to the conclusion that such a development would provide a very low quality of outlook for occupiers of the new dwellings because of the small amount of space around the building. In particular, the bedroom windows facing to the south east would be only just over one metre from the boundary which, if it were a solid fence or wall, would leave them oppressively closed in. The lounge windows would face directly onto the vehicle turning area which would provide a poor outlook. The side of the new dwellings would be only some 10m from the rear windows of the bungalows numbers 52 and 54 Carrington Road and I consider that the amenity of their occupiers would be seriously reduced if the present low garage buildings were replaced by a higher one.

6. Because of the small amount of open land remaining on the site, parking could be provided for only 2 cars. While this complies with the Lincolnshire County Council's standard for aged persons' dwellings, I note that there is no provision for restricting occupation of the appeal scheme to such persons. Furthermore, the site has no road frontage of its own so that any additional vehicles would be forced to park on Pennygate which I noticed at my visit was already quite congested with parked cars. Because the site is backland, drivers would not be able to see the parking situation before entering the narrow access. In the event of there being no space free, they would be obliged either to park on the turning area or reverse back down the access, neither of which would be desirable on the grounds of highway safety and convenience.

7. You have referred to several other backland developments in the vicinity and I saw these during my visit. The Council has confirmed that the principle of backland development is not at issue in this case and that the objections, underlined by the comments of surrounding residents, relate to the intensity of the scheme. Having given close consideration to your submissions, I find that the appeal site would be too small to accommodate 4 dwellings within a satisfactory environment. Furthermore, there would not be sufficient space for the parking of cars so that it would be likely to lead to more manoeuvring and parking on Pennygate to the detriment of highway conditions there. For these reasons, I am firmly of the opinion that planning permission should not be granted.

8. I have taken into account all the representations, including the need for more small housing units and the fact that most of the garages are unused. I have also had regard to the number of vehicles which might use the access if the garages were more fully occupied. However, these matters do not outweigh those which have led to my decision that permission should be refused in this case.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

J. Jones

MRS J JONES MA DipTP MRTPI
Inspector