SOUTH HOLLAND DISTRICT COUNCIL

Chris Simpkins
Chief Executive
Terry Huggins
Director of Customer Services
Bob Atkins
Director of Corporate Services

FILE COPY

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/1091/02 Received: 04-NOV-02 Type: FULL

Name: Mr A Moerman
25 Welland Terrace
Spalding
Lincs.

Agent: Richard Redfern
Archway Cottage
School Lane
Crich
Derbyshire

Description: Conversion of coach house to dwelling including garage

Location : Off Haverfield Road Spalding

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

1 The proposed dwelling will be overlooked by No. 2 & No. 4 Haverfield Road and in turn, notwithstanding obscure glazing, will overlook these properties and their gardens. In addition, the proposal will overlook the rear elevation and facade of Welland Terrace. The comings and goings associated with the proposal will result in disturbance to the occupants of No. 2 Haverfield Road. It is therefore considered that the proposal is contrary to Policy E1 of the adopted South Holland District Local Plan which requires developments to maintain the amenities of adjacent land users and residents.

The determined plans are:
Plans, elevations sections, site plan and location plan received 4 October 2002.

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Telephone: (01775) 761161
Fax: (01775) 711253
Email: Info@sholland.gov.uk

SOUTH HOLLAND DISTRICT COUNCIL

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Sevenoaks

Head of Planning & Development
20 DEC 2002

H16/1091/02

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

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Town and Country Planning Act etc

DRAFT REFUSAL

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1 The proposed dwelling will be overlooked by No. 2 & No. 4 Haverfield Road and in turn, notwithstanding obscure glazing, will overlook these properties and their gardens. Should the proposal will overlook also the rear elevation and facade of Welland Terrace. ~~In addition~~, The comings and goings associated with the proposal will result in disturbance to the occupants of No. 2 Haverfield Road. It is therefore considered that the proposal is contrary to Policy E1 of the adopted South Holland District Local Plan which requires developments to maintain the amenities of adjacent land users and residents.

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Plans, elevations sections, site plan and location plan received 4 October 2002.

SNZ

Director of Customer Services
11 DEC 2002

19/12

H16/1091/02

M16/166 PLANNING

Department of the Environment
Room 1309
Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218
Switchboard 0272-218811
GTN 2074

SOUTH HOLLAND DISTRICT COUNCIL
24 JUN 1981
863
SECRETARY'S DEPT.

Mr A Roffe
Building Design and Plans
1 Green Lane
SPALDING
Lincolnshire
PE11 2YB

Your reference

Our reference T/APP/5313/A/80/15235/G9

Date 23 JUN 1981

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY: MR AND MRS F A WHITWORTH
APPLICATION NO: H16/166/80

1. I refer to this appeal, which I have been appointed to determine, against the decision of the South Holland District Council to refuse planning permission for the conversion of a garage and store into a dwelling house on land off Haverfield Road, Spalding. I held a local inquiry into the appeal on Thursday 4 June 1981 and I inspected the site and its surroundings on the same day.

2. The premises to which this appeal relates are of mainly 2-storey construction and are situated at the eastern end of a rectangular plot of land approximately 22 ft wide which stretches back some 90 ft from a private lane on the northern side of Haverfield Road.

3. From representations made during the inquiry, including those made by letter, and from my inspection of the appeal site, I regard the main issue in this case as the effect which residential use of the appeal premises could have on the occupants of the 2 houses to the south (No 2 and No 4 Haverfield Road).

4. During the inquiry you made reference to the provisions of Department of the Environment Circular 24/75 and I am fully appreciative of the need to provide small houses as mentioned in paragraphs 2 and 9 of that Circular. I appreciate that the proposed conversion would result in there being no first-floor windows, other than that of a bathroom which would be of obscured glass, in the southern elevation, and that there is already a close-woven fence some 7 ft high along the northern boundary of the adjacent house at No 2 Haverfield Road. Consequently there is some justification for your contention that over-looking would be fairly minimal.

5. On the other hand there can be no denying that the southern wall of the appeal premises, in which the main front door would be set, is only about 27 ft from the ground-floor living-room window of No 2 Haverfield Road and furthermore the only vehicular access to the proposed dwelling abuts the rear garden boundary fence of No 2. Consequently I am in no doubt that the comings and goings associated with the proposed residential use of the appeal premises would prove unpleasantly disturbing to the occupants of No 2. Furthermore the occupants of No 4 Haverfield Road would be similarly affected if, as was suggested at the inquiry, the vehicular access were to be extended into what is now, in effect, the rear garden of the appeal premises which adjoins the rear garden of No 4.

6. I appreciate that the appeal site forms part of an area which is allocated primarily for residential use in the Spalding Town Map but I share the council's view that the site, in isolation from adjoining land, is not suitable for the residential use proposed in this case.

7. I have given consideration to all other matters raised during the inquiry and am particularly conscious of the fact that the present proposal out of which this appeal arises seeks to overcome the disadvantages relating to an earlier one. These matters do not however override the considerations which have led me to my decision that the proposed development would have a sufficiently adverse effect on the occupants of No 2 and No 4 Haverfield Road to have justified a refusal of planning permission.

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

I am Sir
Your obedient Servant

G. Cubby.

G CUBBY MBE
Inspector

Town and Country Planning Act 1971 Form P3

Refusal of planning permission

Name and address of applicant

A Whitteringham
29 London Road
SPALDING.

Name and address of agent (if any)

A Boffe
1 Green Lane
SPALDING.

Part I – Particulars of application

Date of application: 20 05 80 Application no. S 16/644/80

Particulars and location of development:

Change of use from garage/store to builders yard and store off Haverfield Road, SPALDING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been refused** for the carrying out of the development referred to in Part I hereof for the following reasons:

1. In the opinion of the Local Planning Authority the proposal would result in an unacceptable loss of residential amenity to the occupiers of adjoining property by reason of noise, dust and visual intrusion.
2. The proposal would result in the establishment of a non-conforming use in an otherwise residential area.

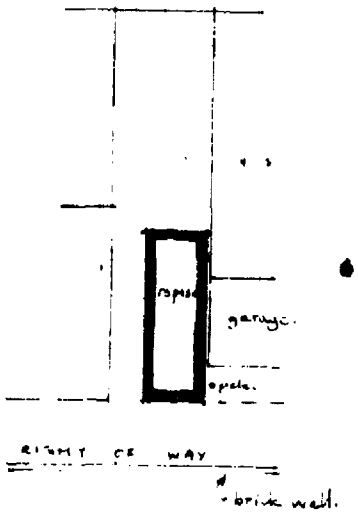
Date 9th July 1980

DISTRICT [illegible]
OFFICER

Council Offices 12 Market Place
SPALDING, Lincs.

[redacted] Council





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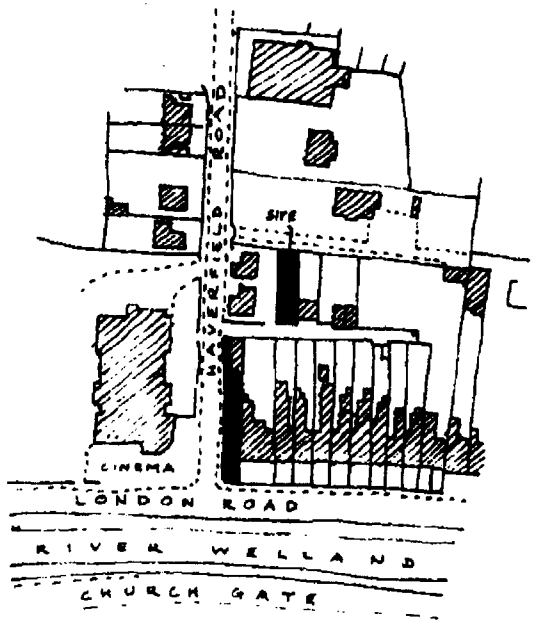

location 1:2500

SOUTH HOLLAND D.C.
PLAN. DEPT.
20 MAY 1980
REF. H16/644/80

Revised 6/2/80

A. ROFFE.
BUILDING DESIGN & PLANS.
1, Green Lane, SPALDING,
Lincs. PE11 2YB Tel: 3680.

September 1979.