SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/1254/92 Received:02-DEC-92 Type:OUTLINE

Name: P C Arnold
Monks House
Bourne Road
Spalding
Lincs

Agent: Mary E Cresswell
Horseshoe Bridge
Spalding
Lincs
PE11 3JA

Description: Erection of bungalow including details of siting and means of access.
Location : Monks House Lane Spalding

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

1 The proposed plot is significantly smaller, in both width and length, than other plots surrounding the site and would therefore in the opinion of the Local Planning Authority appear cramped and out of character.

2 In addition, the plot would be overlooked at a distance of 7 metres by three windows serving a dressing room and two bedrooms which will demonstrably harm the privacy and residential amenities of the proposed plot.

Director of Planning and Building Control Services
18-FEB-93 H16/1254/92

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)

The Planning Inspectorate

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

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M E Cresswell MBIAT
Horseshoe Bridge
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Lincolnshire
PE11 3JA

Your Ref: MEC/468

Our Ref: T/APP/A2525/A/93/222994/P2

Date: 13 AUG 93

S.H.D.C. PLANNING DEPT.
RECEIVED
16 AUG 1993
Action by .....
Discuss with .....
Copy to .....
Acknowledge YES/NO
by
date

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY P C ARNOLD GROUP
APPLICATION NO: H16/1254/92

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the South Holland District Council to refuse planning permission in respect of an outline application for a building plot for a single bungalow (including means of access, siting and design) on land at Monks House Lane. I have considered the written representations made by you and by the Council and also those made at the appeal stage which have been forwarded to me. I inspected the site on 29 June 1993.

2. From my inspection of the site and its surroundings and from the written representations received, I consider the main issues in determining this case to be the effect of the proposal:

i. on the living conditions of prospective occupants with particular regard to overlooking; and

ii. on the character and appearance of the area.

3. No development plan considerations have been brought to my attention. The appeal site is a small infill site between 1 Monks House Court and a new detached house on the east side of Monks House Lane. Monks House itself is a listed building to the south east of the appeal site. The west side of Monks Lane in this vicinity comprises open fields which contain a nursery and greenhouses.

4. I note that the boundary fences, hedges and walls between the proposed bungalow and the adjacent properties would be about 2m high. These would form adequate screening at ground floor level. 1 Monks House Court contains 3 windows, 2 of

100%

which are bedroom windows, on the upper level. The parallel elevation of the proposal contains a bathroom window and utility room window, the distance between the two elevations being about 7m. I consider this distance to be somewhat short, but, in considering the nature of the windows and the angles between them, I would not dismiss the appeal on those grounds alone. Also, as the proposed rear garden and turning area are of a secondary nature in terms of amenity space, I do not consider that there would be material harmful overlooking from No 1 in spite of the nearness of the side elevation to the boundary.

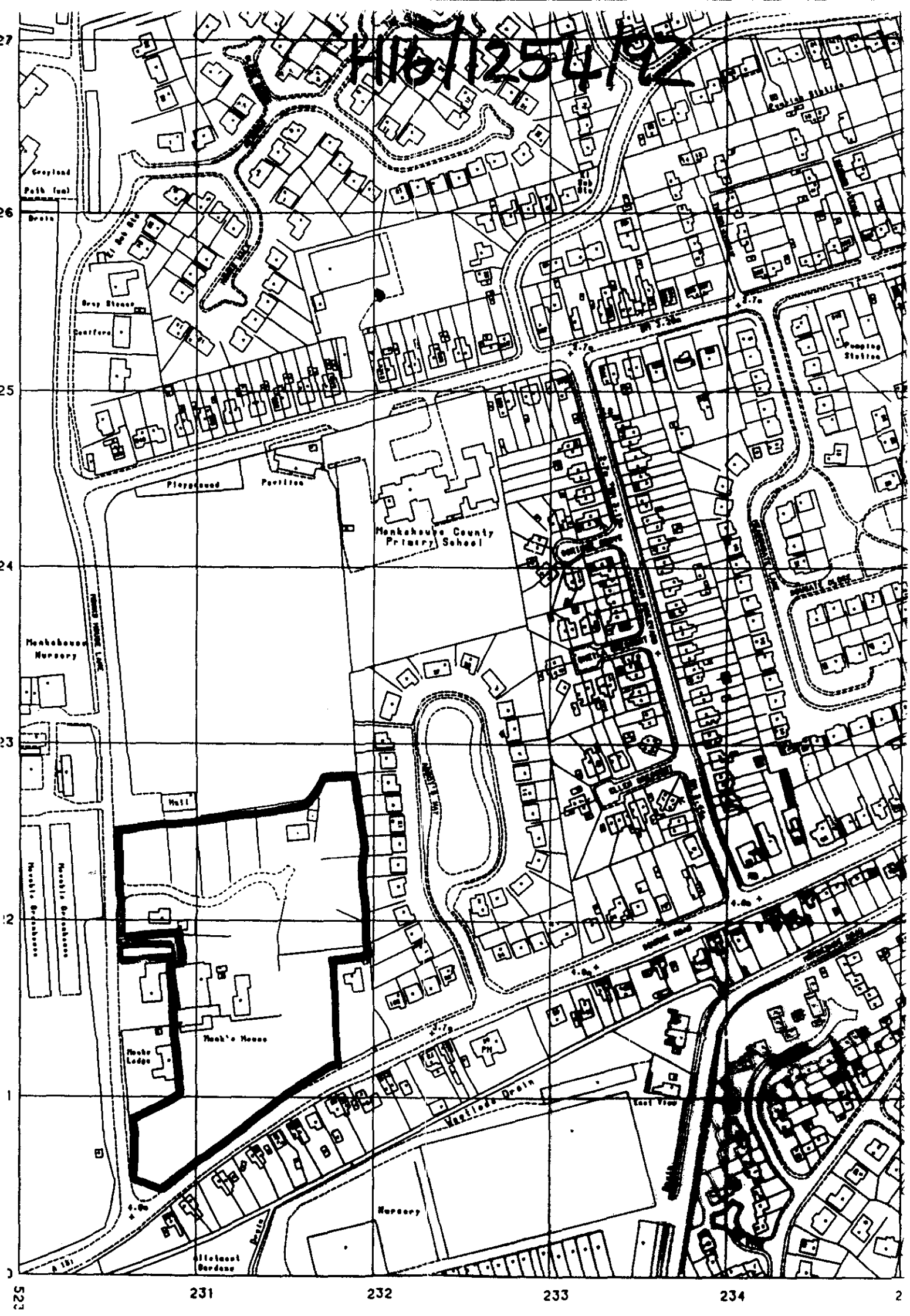
5. I note that the concrete bases of the dwelling and garage to 2 Monks House Court have now been laid. When No 2 is completed there will be 4 relatively large and well spaced dwellings along the east frontage of Monks House Lane. The proposal would place a comparatively small bungalow about 9m wide in a gap only about 20m wide between adjacent dwellings. I consider that the proposal would appear very cramped on the appeal site when compared to the open nature of the rest of the lane. I have taken note of your elevational view of the plot and adjoining properties, but I do not consider that this does justice to the actual character and appearance of the whole lane. I conclude that the proposal would harmfully affect the character and appearance of the area by placing a comparatively small bungalow in a cramped situation on a frontage comprising relatively large, well spaced dwellings.

6. I have taken account of all other matters raised in the written representations, including your comments on the relative merits of previous Council decisions in this area and on your previous negotiation with Council officers. I have also noted comments on overlooking of the side of 1 Monks House Court from a bedroom window of the new detached house, but, as the distance between the two is about 30m, I do not consider that there is any materially harmful overlooking in that case. I find nothing sufficient to outweigh the conclusion I have reached to dismiss this appeal.

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

Yours faithfully

R R LYON BA BEng CEng MICE FIHT
INSPECTOR


Monkshouse County Primary School
Monkshouse Nursery
Monk's House
Monks Lodge
Nursery
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