
Appeal Decision

Site visit made on 29 August 2012

by **George Mapson** DipTP DipLD MRTPI

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

Decision date: 12 October 2012

Appeal Ref: APP/E2530/A/12/2174322

Shirley Croft Hotel, Harrowby Road, Grantham, Lincolnshire, NG31 9EA

- 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 R Johnson against the decision of South Kesteven District Council.
- The application Ref S11/2065/FULL, dated 15 August 2011, was refused by a notice dated 16 February 2012.
- The development proposed is described on the application form as "*Residential development (8 dwellings)*".

Summary of decision: The appeal is allowed and planning permission is granted subject to conditions.

APPLICATION FOR COSTS

1. An application was made by the appellant for an award of costs against South Kesteven District Council. This application is the subject of a separate Decision.

BACKGROUND

THE APPEAL SITE

2. The appeal site lies within a predominantly residential area of Grantham. It is bounded by Harrowby Road on its western side and Croft Drive on its northern side. The southern and eastern sides adjoin the back gardens of houses on St Vincent's Road and Croft Drive.
3. The land was formerly occupied by a large Victorian house. This building had been subject to various additions, alterations and uses. For many years it was used as a hotel (the Shirley Court Hotel) and, more recently, as a dwelling and four flats. The building and its annexes are now in the process of being demolished¹.

¹ The appellant is the prospective developer, but not the owner of the land. There was opposition from the Grantham Civic Trust and some local residents to the land owner's proposal to demolish this building. However, the building was not located within a conservation area and was neither 'listed' nor regarded (by the Council's Principal Conservation Officer) as being of sufficient architectural or historic importance to merit 'listing'. That being the case, the building had no statutory protection from demolition. Under Schedule 2, Part 31 of the Town and Country Planning (General Permitted Development) Order 1995 (the GPDO), as amended, demolition can be carried out once an application for 'Prior Notice of Demolition' is made. Such an application was made on 3 October 2011. This enabled the Council to control the method of demolition and site restoration, but it could not refuse to approve the demolition of this un-protected building. This is because deemed planning permission for the demolition work is granted by the GPDO, unless the Council has made an article 4 direction restricting the permitted development rights that apply to demolition. On 25 October 2011 the Council confirmed that details of the method of demolition and site restoration would not be required. As there is no article 4 direction in place, to my knowledge, the demolition of this building would not require a specific grant of planning permission.

4. At the time of my site visit the main building had already been removed. One annex containing the flats remained. This will also be demolished to enable the comprehensive redevelopment of the site.

THE APPEAL PROPOSAL

5. The proposal is to erect eight houses and a pair of garages on the land. Vehicular access would be provided by a new private drive utilising the site's existing access onto Harrowby Road. Three designs of houses are proposed.

Plots 1-4

6. On Plots 1-4 there would be two pairs of 3 storey semi-detached houses. They would face Harrowby Road, but would be set back from the road behind the existing brick wall and would be served by a spur off the new private drive. Their overall height to the ridgeline, shown to be about 9.55m above ground level, appears to be about the same or slightly higher than that of the now demolished Shirley Croft hotel building.
7. The Council considers that the design, appearance, size and siting of the houses on Plots 1-4 would be acceptable in this location and has resolved to approve that part of the proposed scheme.
8. Although some trees on the site are protected by Tree Preservation Orders, the plans show that none would be removed by the appeal proposal. However, the drive to serve two parking spaces near Plot 1 encroaches significantly upon the 'root protection area' [RPA] of one mature tree on the Croft Drive frontage, and other parking spaces in front of Plots 2, 3 and 4 encroach upon the RPAs of other mature trees.

Plots 5 and 6

9. The detached houses on these plots would be built on the Croft Drive frontage. They would have a pedestrian access from Croft Drive, but vehicular access at the rear would be from the new private drive. The bedrooms in the roofspace would be lit by rear-facing dormer windows. The en-suite toilet/shower-room would be lit by a front-facing rooflight.
10. There is some ambiguity about the description of the proposed houses on Plots 5 and 6. In the appellant's Planning Appeal Statement of April 2012 (paragraph 1) they are described as "2.5 storey detached houses" because they would provide bedroom accommodation in their roofspace. In paragraph 34 they are described as "two detached 2 / 2.5 storey houses". In paragraph 59 they are described as being "either two storey equivalent or less" and in his 'Final Comments' and Costs Application of August 2012, they are referred to as "two storey units" and "conventional two storey properties".
11. I have based my assessment of the impact of these houses on the basis of their height (as annotated on the application plans), rather than these various descriptions. Their height to the ridgeline is shown to be about 9.2m above ground level. The appellant says that they would be set at approximately 0.5m below the existing ground level².

Plots 7 and 8

12. The detached houses on these plots would be built at the rear of the appeal site and are described as 1½ storey units. Their height to the ridgeline is shown to be about 8.2m above ground level. The proposed house on Plot 8 would be sited about 2.6m from the boundary with No. 9 St Vincent's Road.

² The appellant's Planning Appeal Statement of April 2012 (paragraph 59). The site layout plan shows finished floor levels of 100.00m for each house, but no existing ground levels are shown on the plan in the vicinity of these proposed units.

13. The rear elevation of the proposed house on Plot 7 has been amended. As originally submitted, it had a first floor dormer window and two rooflights on the rear roof slope. On the revised plan the dormer window has been omitted and the rear roof slope is now shown as having four rooflights.

MAIN ISSUE

14. The Council's primary concern, and that of some local residents, relates to the size and siting of the proposed houses on Plots 5-8 and their effect on the occupiers of properties on Croft Road and St Vincent's Road. Their view is that only single storey houses would be acceptable on those plots.
15. Consequently, there are two main issues in this appeal. The first is the effect of the proposed houses on Plots 5 and 6 on the street scene of Croft Drive. The second is the effect of the proposed houses on Plots 6, 7 and 8 on the living conditions of occupiers of dwellings on Croft Drive and St Vincent's Road, in terms of overbearing effect and loss of outlook; overlooking and loss of privacy; loss of daylight and sunlight; and overshadowing.

REASONS

PLANNING POLICY

The development plan

16. No special policies, designations or controls apply to the appeal site or the surrounding area. However, the South Kesteven Core Strategy Development Plan Document (adopted 5 July 2010) contains some general policies that are cited as relevant to this appeal.
17. The first two policies cited by the Council, Policies SP1 (Spatial Strategy) and H1 (Residential development), have the broad aim of promoting the most efficient use of land by siting development, wherever possible, on previously developed land in sustainable locations. The proposal complies with those policies.
18. The third, Policy EN1 (Protection and enhancement of the character of the District), contains 14 criteria by which development proposals will be assessed. These include criterion 4 (the layout and scale of buildings and designed spaces) and criterion 5 (the quality and character of the built fabric and their settings). The Council considers that there would be conflict with this policy.

National planning guidance

19. The Government's National Planning Policy Framework was published on 27 March 2012. Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
20. In his statement to the House on that date, Greg Clark³ said that the Government's reforms to the planning system "*establish a presumption in favour of sustainable development that means that development is not held up unless to approve it would be against our collective interest*". At the same time the Framework "*raises the bar on design standards so that we have the most exacting requirement for design that the English planning system has ever contained*".

³ Minister of State at the Department of Communities and Local Government 2010-2012 (Minister for Cities - July 2011 - September 2012).

'Site layout planning for daylight and sunlight: a guide to good practice' (2011)⁴

21. This report by the Building Research Establishment [BRE] was first published in 1991. It provides non-mandatory guidelines on loss of light to existing buildings and gardens, and on daylight and sunlight provision in new buildings. It sets out formulae for quantifying obstructions and assessing whether an existing building would continue to receive enough natural light. The guidelines are intended for use for rooms in dwellings that adjoin new development where daylight is required. These include living rooms, kitchens and bedrooms, but exclude windows to bathrooms, toilets, storerooms, circulation areas and garages.
22. The general advice is that in designing a new development or an extension to a building, it is important to safeguard the daylight to nearby buildings. The quantity and quality of daylight inside a room will be impaired if obstructing buildings are large in relation to their distance away. For example, they may be so tall that they would make adequate daylighting in neighbouring buildings impossible or they may block sunlight for much of the year.

MY ASSESSMENT AND CONCLUSIONS ON THE MAIN ISSUES

23. The appellant points out that whilst Harrowby Road is characterised by turn of the century (19th/20th) terraces, Croft Drive contains a mix of post-war housing.
24. In contrast, the character and appearance of Croft Drive are derived from the standard styles of the single and 2 storey houses that are typical of suburban dwellings of that period. Their design and proportions were adopted nationwide at that time and consequently, they possess little, if any, local distinctiveness.
25. I acknowledge that point. I do not share the view of one objector that the new houses should reflect or replicate the detailing of the former Shirley Hotel building. Given the mixed architectural styles of the existing buildings in the vicinity of the appeal site, I consider that, in general terms, the design of the proposed houses would be acceptable.
26. The nub of the issue is whether the size and siting of the houses that are proposed on Plots 5-8 would be acceptable.

Issue 1 – The effect of the houses on Plots 5 and 6 on the street scene of Croft Drive.

27. There is no objection in principle to the erection of two detached dwellings on these plots. However, with all developments, a balance must be struck between making the most efficient use of land and respecting the scale of existing development in a particular locality.
28. An appreciation of the local context, the general pattern of building heights in the area, and the relationship of the proposal to neighbouring buildings, is important if the massing and appearance of new development is to harmonise – rather than conflict – with the scale and form of existing buildings⁵.
29. The Council and others consider that the proposed houses on these plots would be too tall and too prominent in the street scene. In essence, they argue that they would

⁴ The BRE report provides non-mandatory guidelines on loss of light to existing buildings and gardens, and on daylight and sunlight provision in new buildings. In 2011 it was revised to include additional guidance and to be in with other documents, including the revised British Standard Code of Practice for Daylighting (BS6206 Part 2). Section 2.2 of the report deals with protecting daylighting and sunlitening in existing buildings; section 2.3 deals with daylighting of land adjoining a development.

⁵ The exception to this general principle would be where there is a deliberate intention to create a 'landmark' building; one that would stand out from its setting.

- conflict with the scale and form of existing buildings and would be unduly prominent in the street scene; a claim that the appellant refutes.
30. The proposed houses would be sited at 3.2m and 4.6m respectively from the back edge of the southern footway on Croft Drive. This is in front of the front building line of Nos.12 and 14 Croft Drive.
 31. Both new houses would face No. 1 Croft Drive and the one on Plot 6 would adjoin No. 12 Croft Drive. These existing dwellings are bungalows (although the appellant argues that No. 1 should be regarded as a 1½ storey building). They are sited at the entrance to Croft Drive, and beyond them the rest of the buildings are of 2 storeys.
 32. No. 12 occupies a small plot. It has a forward projecting integral garage that has been converted into living accommodation. The main front wall is between about 6.7m and 8m from the back edge of the footway and the front wall of the converted garage is about 6.2m from the footway.
 33. The concerns raised by the Council and local residents do have some merit and I have considered them carefully. However, on balance, I find the proposed houses on these plots would not appear unduly dominant and discordant in the street scene and that they would not be out of scale with their closest neighbours. Consequently, I have come to the view that, in terms of their impact on the street scene, these houses would be acceptable.

Conclusions on the first main issue

34. I conclude on the first main issue that the size and siting of the proposed houses on Plots 5 and 6 would be acceptable.

Issue 2 – The effect of the houses on Plots 6, 7 and 8 on the living conditions of occupiers of neighbouring dwellings

35. With all new housing developments a key objective is to ensure that the best possible use is made of land whilst recognising that residents of existing and proposed dwellings have a right to enjoy a reasonable degree of space, privacy and natural light to their homes.
36. To achieve this balance some local planning authorities require minimum separation distances to be provided between houses, and in particular, between windows lighting habitable rooms⁶. Others take a more flexible approach to separation distances - particularly where site levels or screen planting are factors - in order to promote innovative design and layouts for specific sites. In this case, the Council has not referred to any standards that it routinely applies for space around buildings.

Plot 6

37. I have carefully considered whether the size of the house on Plot 6, and its siting beside No. 12 Croft Drive (and slightly beyond the front building line of that bungalow) would have an adverse impact on the occupants of the bungalow, in terms of its overbearing effect.
38. No. 12 is flanked on its eastern side by a 2 storey house (No. 14). Despite the differences in the respective heights of those buildings, the spatial relationship between them appears satisfactory. This is partly because the buildings are splayed around the inside of a curve in the road, resulting in a significant degree of separation between

⁶ Typically such standards have stipulated that where two habitable rooms face each other such that direct overlooking is physically possible, the windows should be a minimum of 22m apart. Where a window in a habitable room faces a blank wall, the height of which exceeds the top of that window, the minimum separation distance has generally been 13m. These are the benchmark standards that the appellant has adopted and they appear reasonable to me in this case.

their front elevations. Scaling from the application plan, there appears to be a gap of about 10m between the front corners of Nos. 12 and 14.

39. The proposed house on Plot 6 would be closer to No. 12 Croft Drive. There would be a gap of about 6m between the side wall of the house and the front corner of the bungalow, and about 4.3m between that wall and the corner of the converted garage.
40. In most cases, a side-to-side separation distance of this order is acceptable, although a key factor in this particular case is that the larger new building would be set further forward on the plot than the smaller existing one.
41. I appreciate that prior to its demolition, parts of the Shirley Hotel building would have been fairly close to No. 12. The dotted outline on the application plan provides an indication of the likely relationship between the two buildings. But it appears to me that the proposed house on Plot 6 would be closer to the bungalow than the tallest part of the hotel building.
42. The size and siting of the proposed house could make the bungalow and garden seem more enclosed than it was previously, when the hotel occupied the land. Consequently, once again, there is some merit in the Council's and neighbours' objections.
43. However, I am satisfied that it would not have such a dominating or overpowering effect as to significantly diminish the living conditions of the occupiers of No. 12 or any other property. Consequently, in terms of its impact on the neighbours, the house on Plot 6 would be acceptable.

Plots 7 and 8

44. The houses on these plots would each have 1½ storeys. The house on Plot 7 would have a rear-to-rear relationship with the houses at Nos. 14, 16 and 18 Croft Drive, with separation distances between the new and existing houses of about 29.2m-33.6m; 31.8m-34.2m; and 36m respectively.
45. The house on Plot 8 would also have a rear-to-rear relationship with those houses on Croft Drive. The separation distances between the new and existing houses would be about 36m; 36.6m-40m; and 39m respectively.
46. In addition it would have a rear-to-side relationship with the houses at Nos. 5, 7, 9 and 11 St Vincent's Road, with separation distances between the new and existing houses of about 26.6m; 25.6m; 24m-25m; and 23.6m respectively.
47. In each case the degree of separation would be sufficient to ensure that no harm would arise to the residents in terms of loss of outlook or overbearing effect. The proposed garage block would not give rise to any such effects.
48. The proposed orientation of windows, and the use of obscure glazing in places, is such that there would be no direct overlooking of habitable room windows of the existing houses and no loss of privacy for those residents.
49. As regards the effect on sunlight and daylight levels, the proposed houses would meet the guidance set out in the BRE Guidance document. The existing houses would retain access to reasonable amounts of daylighting and sunlighting. Furthermore there is unlikely to be a significant degree of overshadowing, such as to warrant refusal of planning permission.

Conclusions on the second main issue

50. I conclude on the second main issue that the size and siting of the proposed houses on Plots 6, 7 and 8 would not significantly harm the living conditions of occupiers of neighbouring dwellings.

- 5) No development shall take place until details have been submitted to and approved in writing by the local planning authority to show the continuation of half timbering along the whole width of the northern elevation of the dwelling hereby permitted on Plot 1 and the whole width of the southern elevation of the dwelling hereby permitted on Plot 4. Development shall be carried out in accordance with the approved details.
- 6) No development shall take place until details of a scheme for the provision of surface water drainage works (including a timetable of works) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7) Means of vehicular access to the permitted buildings shall be from Harrowby Road only. No dwelling shall be occupied until the vehicular access and turning space have been constructed in accordance with the approved plan Ref No. RD2010:089 01 Rev A (received 16 December 2011).
- 8) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan Ref No. RD2010:089 01 Rev A (received 16 December 2011) for cars to be parked, and thereafter that area shall be used for no purpose other than the parking of vehicles.
- 9) A 'no dig' construction method shall be used for all parts of the access road, driveways and parking areas that fall within the root protection areas of retained trees shown on the approved plan Ref No. RD2010:089 01 Rev A (received 16 December 2011). No development shall take place until details of such a construction method have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 10) Other than the works that are necessary to widen and improve the access to the site, as shown on the approved plan Ref No. RD2010:089 01 Rev A (received 16 December 2011), the boundary wall and gates along the Harrowby Road frontage shall be retained or where necessary rebuilt in the same position to the same height as existing in the same materials, style (including coursing of stone) and dimensions as existing. These works shall be completed before the occupation of any of the buildings hereby permitted.
- 11) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment or means of enclosure to be erected. The boundary treatment shall be completed before the occupation of any of the buildings hereby permitted or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.
- 12) Notwithstanding the submitted plans, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; hard surfacing materials and surface treatments of car parking areas, other vehicle and pedestrian access and circulation areas; minor artefacts and structures (for example, street furniture, refuse or other storage units, signs, lighting, etc); proposed and existing functional services above and below ground (for example, drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports etc.). Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate); and an implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried

Overall conclusions

51. I have taken account of all the matters raised, including the fact that this application was recommended for approval by the Council's officers.
52. For the reasons given, I find that the proposed development would not conflict with the relevant provisions of the development plan, national planning guidance or the BRE guidelines. Accordingly, I have decided that the appeal should be allowed and planning permission should be granted subject to conditions.

Conditions

53. The Council has suggested 13 conditions that it considers should be imposed in the event that planning permission is granted.
54. I have decided to impose 14 conditions. I have replaced the suggested condition No. 4 (requiring the incorporation of historic features from the demolished hotel building), which I regard as unnecessary, by a different condition No. 4 (requiring the submission of a topographical survey).
55. This condition is reasonable and necessary to enable the Council to have a clear idea of the finished floor levels of the proposed dwellings relative to existing ground levels before work commences. This is particularly important in the case of the proposed houses on Plots 5 and 6.
56. I shall also impose condition No. 14 which requires the use and retention of obscured glazing where the approved plans show that windows are to be obscurely glazed. This is reasonable and necessary in order to safeguard the living conditions of neighbouring occupiers.
57. The other suggested conditions are reasonable and necessary to ensure that the development is satisfactory. In some cases I have amended them slightly to reflect the wording of the model conditions found in Circular 11/95 and on the Planning Inspectorate's site on the Planning Portal.

Formal Decision

58. The appeal is allowed and planning permission is granted for residential development comprising the erection of eight dwellings and a pair of garages on the land formerly occupied by the Shirley Croft Hotel, Harrowby Road, Grantham, Lincolnshire, NG31 9EA in accordance with the terms of the application, Ref S11/2065/FULL, dated 15 August 2011, subject to the conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; Drawing Nos. RD2010:089 01 Rev A (received 16 December 2011); RD2010:089 02 (received 24 August 2011); RD2010:089 03 (received 24 August 2011); RD2010:089 04 (received 24 August 2011); RD2010:089 05 Rev A (received 16 December 2011); RD2010:089 06 (received 24 August 2011); and RD2010:089 07 (received 24 August 2011).
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Notwithstanding the submitted plans, no development shall take place until a topographical survey of existing ground levels, together with details of the proposed finish levels, has been submitted to and approved in writing by the local planning authority.

out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

- 13) The plans and particulars submitted in accordance with the condition 12 above shall include:
- i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
 - ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
 - iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
 - iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];
 - v) details of the specification and position of fencing, and of any other measures to be taken, for the protection of any retained tree from damage before or during the course of development. These trees shall be protected, maintained and managed in accordance with the details set out in the submitted Tree Report and section 5 of BS 5837:2005 (Trees in relation to construction).
 - vi) In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (i) above.
- 14) Where windows are shown on the approved plans to be obscurely glazed, the obscured glazing shall be fitted before the first occupation of the dwellings hereby permitted and shall be permanently retained in that condition thereafter.

George Mapson

INSPECTOR



Appeal Decision

Site visit made on 13 August 2012

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 14 September 2012

Appeal Ref: APP/E2530/A/12/2172888

Plot adjacent No 3 High Street, Pointon, Sleaford Lincolnshire, NG34 0LX

- 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 W Addison against the decision of South Kesteven District Council.
 - The application Ref S11/1898/FULL, dated 4 August 2011, was refused by notice dated 6 December 2011.
 - The development proposed is resubmission of previously approved dwelling to cover the amendments made/proposed.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal proposal is for amendments to a scheme that was given planning permission on appeal (APP/E2530/A/02/1094826, dated 20 December 2002). This scheme bore the application number S01/1047. The Inspector then concluded that that scheme would not materially harm the character or appearance of the surroundings.
3. Work started on the building in April 2003. It is now largely complete, albeit not in accordance in all respects with the approved plans. In addition, the appellant proposes to add 3 dormer windows to the main roof of the house, and a second floor window in the south gable end. The part retrospective nature of the proposal does not affect my consideration of its planning merits.

Main Issues

4. I consider that these are the effects of the proposal on firstly, the character and appearance of the area; and secondly, the living conditions of the occupiers of nearby dwellings.

Reasons

First main issue – effect on character and appearance

5. The appeal site is towards the southern end of a row of detached properties on the west side of High Street. From the north, these increase in height from a
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bungalow, through a dormer bungalow to two 2-storey houses, the nearest of which to the appeal site (no.3) also has a dormer window above its attached garage. Properties on the other side of the road are also largely 2-storey detached houses. I went along several roads in the village and noted that the types of dwellings on High Street were typical of the village in general. I noticed no houses with 3 floors of accommodation. Several of the larger, more recent 2-storey houses had semi-dormers at the front, which have the appearance of reducing the overall scale and height of the buildings.

6. The appellant has described several changes as built compared to the approved plans. Some of these are minor elevational changes, such as the entrance porch, which have little impact on the overall character and appearance of the building. The main front elevation is 1.5 metres closer to the road. However, the house now lines up with those to the north and I consider that this change is not of itself harmful. Of more significance is the fact that the northern gable end now physically touches a lean-to side extension at no.3. This gives a cramped appearance to the development which is not compensated for by the southern end being further from the other side boundary of the site.
7. Of greater significance still in my view are the increased heights of the roofs. The ridge over the main part of the house has been increased by 0.7 metres to 9.2 metres high. That over the garage has been increased by 0.75 metres to 7.35 metres. Although these differences do not sound great, careful comparison of the approved and proposed drawings indicates to me that the changes are significant. They materially increase the height and mass of the roof in relation to the rest of the building, and increase the bulk of the upper part of the building for its full (and increased) width. The height of the garage, a subordinate part of the overall building, is significantly higher than the 2 storey house next door. Combined with its juxtaposition with the common boundary, this adds to the cramped appearance of this side of the site.
8. I find that other changes not noted by the appellant add to the overall perception that the house is an unduly large addition to the street scene. The pitch of the garage roof is now greater than that of the main house, which emphasises its increased height. In addition, the forward projecting bay feature at the other end of the building is shown to project forward materially more than on the approved ground floor drawing. This change draws attention to this feature which now has an ungainly asymmetrical face towards the road. These changes add to the "presence" and prominence of the house in the street scene.
9. So far as character and appearance are concerned, the main proposed changes are the addition of 2 dormer windows on the front elevation and 1 at the rear. These would not be disproportionately large in relation to the main roof, and would be of the same design and size as that built over the garage. In themselves these would be relatively minor amendments. However, I consider that they would add noticeably to the mass and prominence of the roof, and serve further to emphasise the overall increase in scale and height that the amendments would achieve.
10. Taking all the changes into consideration, it is evident to me that they amount to a considerable enlargement of what was already a large detached house, as originally approved. The building is wider, deeper and higher than that

approved and is intended to include an additional floor of accommodation. These changes may have little impact on a large and secluded plot. However, the appeal site is the main road through a village characterised by houses and bungalows of modest proportions, usually with clear physical spaces between buildings. In contrast, the appeal building is significantly larger in scale than its neighbours, more cramped on its plot and more prominent in the street scene. The proposed dormers would give added emphasis to the inappropriate size and overall adverse effect. I consider that the harm arising from these changes would not be outweighed by the good standard of the workmanship or the suitability and quality of the materials.

11. I conclude that the proposal would materially harm the character and appearance of the area. This would be contrary to the purposes of policy EN1 in the South Kesteven Core Strategy (2010), which says that development should be appropriate to and protect or enhance the character of the district. In particular I find that the proposal falls short with respect to local distinctiveness and sense of place, the layout and scale of buildings and the quality and character of the built fabric and their settings. The proposal would also fall short with respect to the high standards of design sought by the National Planning Policy Framework. This also says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Second main issue – effect on living conditions

12. Objections have also been made in relation to loss of privacy and an overbearing effect on the occupiers of dwellings opposite and adjoining the appeal site. Nos 8 & 6 are detached houses on the opposite side of High Street. They have living room and main bedroom windows that face the road. The 2 front dormers would add to the opportunity to look towards these houses from a higher level. Nonetheless, I estimate that even with its re-siting forward, the appeal house is about 30 metres away from the houses opposite. This kind of separation distance is usually regarded as adequate in terms of avoiding undue loss of privacy. The dormers would add to the perception of additional overlooking, although at the further distance away they would be, I consider that little material additional loss of privacy would arise. I consider that the effect on living conditions on the far side of High Street would not warrant the withholding of planning permission.
13. The properties at the rear of the site, in St Gilbert's Close, are bungalows. The appeal house appears large when viewed from the rear of these bungalows, especially no.12 immediately to the rear. The extra height of the building adds to this effect, as would the additional dormer (although overlooking could be prevented by the use of obscure glazing for what would be a shower room). At first floor level, the windows are as already approved, and that elevation is slightly further from the bungalows than originally approved. The wall to wall separation distance is again about 30 metres. While the changes would add to the harm as perceived by the neighbour, I consider that the main effect arises from the house as originally approved which, presumably, was considered acceptable at that time.
14. I consider that the additional second floor window in the south gable end would enable overlooking into the garden and windows at no.1 to the south, causing

loss of privacy. This effect could be overcome by imposing a condition to the effect that this window to a proposed store should have obscure glazing.

15. The widened garage now abuts the side extension at no.3 and has blocked off light to a window that was on the boundary. I consider that these changes relate more to boundary and other private issues between the parties, and do not add significant harm with respect to material planning considerations.
16. Overall, I conclude that the changes involved in the proposal would not add materially to any harm to living conditions to the extent that planning permission should be withheld for this reason. Nonetheless some adverse impacts are perceived by local residents, arising from the increased size of the building (including the dormers).

Overall conclusion

17. Overall I find there would be a significant adverse effect with respect to the first main issue. The harm to neighbours' living conditions, whilst not in itself warranting the refusal of planning permission, arises from the same changes that give rise to harm to character and appearance and therefore adds some weight to it.
18. I conclude therefore that planning permission should be withheld and I dismiss the appeal.

G Garnham

INSPECTOR