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## Appeal Decision

Site visit made on 6 September 2022

**by Ian McHugh DipTP MRTPI**

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

**Decision date: 06 October 2022.**

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### **Appeal Ref: APP/N2535/D/22/3299070**

### **Ashbrook, Cliff Road, Spridlington, Market Rasen, LN8 2DW**

- 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 Mrs Wendy Ayres against the decision of West Lindsey District Council.
  - The application Ref 144492, dated 15 February 2022, was refused by notice dated 12 May 2022.
  - The development proposed is internal and external alterations, including rendering, erect 2-storey side extension with porch to front and balcony to rear and detached garage.
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### **Decision**

1. The appeal is dismissed insofar as it relates to the internal and external alterations, rendering, the 2-storey side extension with porch to front and balcony to rear. The appeal is allowed insofar as it relates to the detached garage and planning permission is granted for a detached garage at Ashbrook, Cliff Road, Spridlington, Market Rasen, LN8 2DW in accordance with the terms of the application, Ref 144492, dated 15 February 2022 and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. A04 insofar as it relates to the detached garage only.
  - 3) Prior to the construction of the approved garage commencing, details of the external facing materials to be used in the construction of the walls and the roof shall be submitted to and approved by the local planning authority. The development shall then be carried out in accordance with the approved details.

### **Procedural Matter**

2. The proposal involves a number of different elements, which are severable from each other. Consequently, I am able to issue a split decision in this case.
3. The description of the development used above differs from that given in the planning application form, but it is the one used by the Council in its decision notice. Although the normal convention is to use the description in the

application form, the Council's description is more succinct and accurately describes the proposal. Therefore, I have used it in this appeal decision.

## **Main Issues**

4. The main issues are: the effect of the proposal on the character and appearance of the Spridlington Conservation Area (CA); and the effect of the proposal on the living conditions of the occupants of the neighbouring dwelling (Old Meldrum), with particular regard to outlook and natural light.

## **Reasons**

### *Character and Appearance*

5. The appeal property is a detached dwelling with a relatively large rear garden, which is situated on the edge of the village with open countryside on one side and Old Meldrum on the other. It is within the CA, but the appeal property itself is of no particular architectural or historic interest. In that regard, I consider that its contribution to the significance of the CA is neutral.
6. The CA encompasses much of the village and the character of the built development varies in terms of building styles, size and materials. I noted at my site visit that the use of stone, brick and render are used throughout the CA. Old Meldrum has a traditional appearance with stone walls and a red pantile roof. The setting of the CA is enhanced by its rural surroundings and the appeal property is prominent, due to it being the first (or last) building one sees when travelling along this section of Cliff Road.
7. It is a statutory requirement when considering development proposals that decision makers have regard to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in Policy LP25 of the adopted Central Lincolnshire Local Plan 2017 (LP) and in Policy 8 of the Spridlington Neighbourhood Plan (NP). In addition, Policy LP26 of the LP and Policy 7 of the NP require the design of new development to be of high quality that contributes positively to local character. These policies accord with the provisions of Chapter 16 and paragraph 130 of the National Planning Policy Framework 2021 (The Framework).
8. The proposal contains a number of different elements including a detached double garage with a gabled roof, that would be sited within the rear garden. The garage would be a relatively plain and simple structure. I note that the Council does not refer to the planning merits of the proposed garage in either its decision or in the officer's report. However, in my opinion, the proposed garage would sit comfortably within the relatively large garden and whilst it would be visible when approaching the site from the west it would be well set-back from Cliff Road and it would not detract from the character or appearance of the CA.
9. With regard to the other works, the Council raises concerns in respect of the roof design, the proposed rendering and the external flue that is proposed on the side elevation of the building.
10. In respect of the roof design, the Council states a preference for a hipped roof, which it considers to be more in keeping with the existing building. At my site visit, I noted that gabled roofs are common with the CA and, in that respect, the proposed roof design would not be out of keeping with the character of the

CA. However, the effect of the proposed gable roof would be to add bulk to the eastern side of the property, which would reduce the existing space at roof level between the appeal property and Old Meldrum. I consider that this would have an adverse effect on the streetscene and would be harmful to the character and appearance of the CA.

11. With regard to the proposed use of render, I also noted that there are other rendered properties within the CA. Given that the appeal property is of no particular merit and it sits at the end of a row, I am not persuaded that the use of render would be harmful, notwithstanding the use of stone on the walls of Old Meldrum. Render would also help to unify the appearance of the building.
12. The proposed external flue would be sited in a prominent position on the west facing side elevation of the property. It would be clearly visible when approaching the property from that direction and I consider that it would detract from the appearance of the property and from the character of the CA at that point.
13. For these reasons, I consider that the proposal would be harmful to the character and appearance of the CA and, therefore, it would conflict with the policies of the LP and the NP, as referred to above.
14. Having regard to paragraph 202 of The Framework, I consider that the harm caused by the proposal would be 'less than substantial'. In that context, I am required to consider whether the harm is outweighed by any public benefits arising from the proposal. Whilst the extension and alterations would improve and enhance the living accommodation for the appellant, this would not amount to a public benefit. Accordingly, my findings on this issue do not change.

#### *Living Conditions*

15. Policy LP26 of the LP seeks to ensure that the amenities enjoyed by the occupants of neighbouring land and buildings are not unduly harmed by, or as a result of development. The Council contends that the proposed side extension would have an adverse impact on the occupants of Old Meldrum in terms of overbearing and loss of light.
16. I note that the proposed extension has been reduced in depth since it was originally submitted and that a building originally stood on part of the site. However, the extension would be relatively close to the side boundary with Old Meldrum and it would project well beyond the main rear wall of the neighbouring property. Old Meldrum contains ground floor windows that would look both directly and at an angle towards the extension.
17. The rear of both the appeal property and Old Meldrum face in a northern direction and I am not persuaded that there would be an unduly harmful effect on the occupants of Old Meldrum in terms of loss of light.
18. Notwithstanding, I consider that the proposal would have an unacceptably overbearing and oppressive impact on the neighbouring dwelling, because of its length, height and bulk. This would be to the detriment of the living conditions of its occupants. Accordingly, the proposal would conflict with Policy LP26 of the LP.

### **Conditions**

19. The Council has suggested conditions in the event of the appeal being allowed. I have included these in my decision. In addition to the standard conditions relating to the commencement of development and the listing of approved plans, a condition is also imposed requiring details of the materials to be used in the construction of the garage. I note that the appellant has stated that it will be a wooden structure, but no further detail on this or the roofing material has been provided. The condition is necessary to ensure a satisfactory external appearance.

### **Conclusion**

20. For the reasons given above, I conclude that the appeal is allowed in relation to the detached garage. With regard to the internal and external alterations, rendering, the 2-storey side extension with porch to front and balcony to rear, the appeal is dismissed.

Ian McHugh

INSPECTOR