

Appeal Decision

Site visit made on 18 April 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/B2002/W/16/3167799

30 St Andrews Drive, Grimsby, North East Lincolnshire DN32 8PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission.
 - The appeal is made by Mrs Shareen Al Ankar against the decision of North East Lincolnshire Council.
 - The application Ref DM/1013/16/FULA, dated 18 October 2016, was refused by notice dated 9 December 2016.
 - The development proposed is single storey extensions.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extensions at 30 St Andrews Drive, Grimsby, North East Lincolnshire DN32 8PS in accordance with the terms of the application, Ref DM/1013/16/FULA, dated 18 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with approved plans: Site Location Plan Drawing No JEW-00565043, Existing Ground Floor Plan Drawing No GW/GA/SAD/1, Existing Front Elevation and Existing Side Elevation Drawing No GW/GA/SAD/2, Existing Rear Elevation and Existing Side Elevation Drawing No GW/GA/SAD/3, Block Plan Drawing No GW/GA/SAD/4, Proposed Floor Plans and Elevations Drawing No GW/GA/SAD/5 received by the Council 27 October 2016, Proposed Roof Plan Drawing No GW/GA/SAD/6 and Proposed Rear Elevation Drawing No GW/GA/SAD/7 received by the Council 27 October 2016.
 - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) No demolition or construction work shall be carried out on or before 0800 or after 1800 Mondays to Fridays, before 0800 or after 1300 on Saturdays and at any time on Sundays or Bank Holidays.

Procedural Matter

2. At the time of my site visit the proposed development had commenced, with the majority of the external walls in place. However, it was some way from completion, thus I have determined the appeal on the basis of the development applied for.
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Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 28 St Andrews Drive (No 28) with particular regard to outlook and light.

Reasons

4. The appeal property and No 28 are detached bungalows which are positioned a similar distance from the road.
5. The proposed side extension to create a new garage would extend into the space between No 28 and the appeal property with its side elevation almost along the shared boundary.
6. However, it would be single storey mainly with a flat roof. Furthermore, it would only project a small distance forward of the front elevation of No 28 and its bay window. I acknowledge the proposed gable feature would increase the height and mass of the development at the point closest to No 28's bay window. However, unless standing in the bay window, views of the side extension would be from an oblique angle. Moreover, the bay window of No 28 would be some distance away from the extension such that it would have a negligible impact on light enjoyed through this window and would not be overbearing or over dominant.
7. Turning my attention to the other elements of the proposal. The proposed porch would be a relatively minor addition. The rear extensions and side extension behind the garage would be relatively modest single storey extensions some distance from the neighbouring properties and would only be visible above the boundary fencing.
8. For these reasons, I find that the proposed extensions would not harm the living conditions of the occupiers of No 28 with particular regard to outlook and light. Thus, the proposed development would accord with saved Policy GEN1 of the North East Lincolnshire Local Plan (2003) which seeks to ensure new development does not result in unacceptable adverse impacts on neighbouring land uses in terms of visual intrusion.

Other Matters

9. I have considered the impact of the proposal on the character and appearance of the area. However, when viewed from the road, I find the extensions would be in keeping with the character of the appeal property and others nearby. The proposed roof lantern would not be visually prominent from anywhere other than within the appeal site. Thus, I find the proposal would not harm the character and appearance of the area.
10. I have noted the concerns with regard to the construction work undertaken to date and its physical impact on land outside of the appeal site. I also note the concerns with regard to maintenance of the proposed development. However, these are private matters for consideration under building and party wall regulations.
11. I also acknowledge the concerns with regards to noise and disturbance associated with construction. However, due to the small scale of the

development these effects would be short term and in any event I have imposed a condition to limit works to within reasonable hours.

Conditions

12. The conditions imposed are those which have been suggested by the Council. I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition which requires materials to match the existing dwelling in the interests of safeguarding the character and appearance of the area.
13. Furthermore, in order to safeguard the living conditions of nearby residents, I agree a condition is necessary to ensure construction work only takes place within reasonable hours.

Conclusion

14. For the reasons set out above, I conclude that the proposed development would accord with the development plan. Thus having had regard to all other matters raised the appeal should be allowed.

L Fleming

INSPECTOR