



Appeal Decision

Site visit made on 6 August 2019

by S Hunt BA(Hons) MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/B2002/W/19/3225380

2 Hilary Road, Grimsby DN33 2PN

- 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 Conner Lownds against the decision of North East Lincolnshire Council.
 - The application Ref DM/0646/18/FUL, dated 23 July 2018, was refused by notice dated 7 February 2019.
 - The development proposed is Demolish the existing 2 bedroom bungalow and garage, erect two 3 bedroom houses with associated driveways.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing 2 bedroom bungalow and garage, and erection of two 3 bedroom houses with associated driveways at 2 Hilary Road, Grimsby DN33 2PN, in accordance with the terms of the application, Ref DM/0646/18/FUL, dated 23 July 2018 and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The plans were amended twice during the planning application process. I note the previous iterations which have been submitted with the appeal documentation, some of which have the same reference numbers as the final versions. The final reference numbers/dates have been clarified by the parties and I have made my decision on the basis of those confirmed references.

Main Issues

3. The main issues are the effects of the development on i) the character and appearance of the area and ii) highway safety, with particular regard to the adequacy of parking provision on site and in the local area.

Reasons

Character and Appearance

4. Hilary Road comprises predominately bungalows with the exception of the immediate neighbours to each side of the site which are two storey semi-detached houses. Southfield Road is a wide street with similar dwelling types which have spacious plots to front and rear. Hilary Road is narrower, with a more intimate appearance. Nonetheless most dwellings have small front gardens together with side or front driveways. The existing detached bungalow

and its garage occupy much of the frontage of the plot at No. 2 Hilary Road except for its side driveway, and with its steeply pitched roof it has a distinctly different appearance to the other properties within the street.

5. The proposal to replace the bungalow with two semi-detached two storey dwellings would intensify the use of the plot in width, depth and height, but I note that the building would be no closer to the boundary with No. 4 Hilary Road, and that it would be no taller than its neighbour either at eaves or ridge level. The development would reduce the gap which currently exists adjacent to the boundary of No. 21 Southfield Road. Nonetheless, No. 21 and its neighbours benefit from long rear gardens, thereby the development would not result in an unduly cramped appearance within the street scene here.
6. The proposed development would not appear out of context in this area due to the presence of two storey semi-detached dwellings of a similar scale and design including No's 4-6 immediately adjacent to the site, and nearby along Southfield Road. As adequate gaps would remain to the side boundaries of the site, and ample garden space would be provided to the rear, the site would not appear unduly overdeveloped.
7. The proposed development would not have a significant adverse effect on the character and appearance of the area. It complies with North East Lincolnshire Local Plan policies 5 and 22 which, amongst other matters, seek for development proposals to achieve a high standard of design informed by a thorough consideration of the sites context, and to have regard to size, scale and density. It would also be in conformity with paragraph 127 of the National Planning Policy Framework ('the Framework') in that the design would be sympathetic to local character and would maintain a sense of place.

Highway Safety

8. Hilary Road is narrower in width than Southfield Road reflecting its cul-de-sac status. It benefits from footways to either side with low kerbs, except towards the end where it becomes a shared block paved surface. The vast majority of dwellings have off street parking either directly to the front or side driveways. Two parking spaces are proposed to the front of each dwelling. The spaces would be of a similar size to those of its neighbours on this side of Hilary Road. I note that the Council's Highways Officer raises no objection. I acknowledge the neighbours' comments that future occupants could have additional cars, or larger cars. However there is no evidence before me that two spaces of the size specified by the Highway Officer would be insufficient for a three bedroomed dwelling in this location.
9. I acknowledge the concerns regarding difficulties for visitor parking, access for large and emergency vehicles and manoeuvring issues. One additional dwelling would have a negligible impact on this existing situation. Whilst Hilary Road is of restricted width which limits visitor spaces, the adjacent Southfield Road is a short distance away with ample space for occasional visitor parking, large deliveries and construction vehicles.
10. In this respect Policy 5 of the Local Plan which requires proposals to have regard to suitability and sustainability in terms of access and traffic generation would be met. Paragraph 109 of the Framework only prevents development if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The impact from one

additional dwelling on highway safety would not be significant and parking provision would be adequate for the proposed development.

11. I find no reason to conclude that the proposed access and parking arrangements or the increase in vehicle movements from one additional dwelling would be harmful to highway safety.

Other Matters

12. I have had regard to the objections raised in relation to the proposal. There is no substantive evidence to justify the dismissal of the appeal on the grounds of harm to living conditions. Due to the distances achieved between dwellings and the garden sizes the proposal would not result in any significant loss of privacy or overshadowing to neighbouring properties. A condition can be imposed to ensure the first floor side windows are opaque glazed to prevent overlooking. Whilst I understand the apprehension of local residents to disruption during the construction process, this would be temporary and could be mitigated by a suitable demolition and construction management plan, together with limits on working hours.
13. Location of scaffolding and potential damage caused to property and the road during construction would be a private matter between the parties involved. There is space for refuse storage to the rear of the dwellings and a sufficient gap would be provided to the side of each dwelling for manoeuvring of bins.
14. Reference has been made to flooding issues in the locality. There is no evidence that the development would exacerbate any existing surface water drainage conditions, and a scheme for disposal of surface water can be controlled by condition.

Conditions and Conclusion

15. I have undertaken some minor editing of the Council's conditions for precision and clarity. I have attached a condition specifying the relevant plans to provide certainty. In the interests of protecting the living conditions of neighbouring occupiers it is necessary to include a condition in respect of the submission of a construction method statement and to limit the hours of construction. I have included an additional condition requiring the first floor side windows to be opaque glazed to safeguard overlooking. In order to ensure a satisfactory appearance I have included a condition requiring details of external materials to be approved.
16. In the interests of highway safety a condition is attached requiring the provision of access and parking, and I have made this more specific in that 4 spaces should be provided and retained for their intended purpose. Details of a surface water drainage scheme are required to reduce the risk of flooding and pollution to the environment.
17. I have found that there would be no significant harm to the character and appearance of the area nor to highway safety, therefore I conclude that subject to conditions the appeal is allowed.

S Hunt

INSPECTOR

Schedule of 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 be carried out in accordance with the following approved plans:

Site Location and Block Plan :	17/027/01 B (Sept 18)
Proposed Site Plan :	17/027/09 B (July 18)
Proposed Elevations :	17-027-05-RD A (Sept 18)
Proposed Floor Plan :	17-027-03-RD A (Nov 18)
Proposed Street Scene :	17-027-10-RD A (Sept 18).
- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for measures to control the emission of noise, dust and dirt during demolition and construction. The approved Construction Method Statement shall be adhered to throughout the demolition and construction period for the development.
- 4) Demolition or construction works shall take place only between 08:00 and 18:00 Mondays to Fridays inclusive, and between 08:00 and 13:00 on Saturdays, and not at any time on Sundays or on Bank or Public Holidays.
- 5) No construction of dwellings above damp proof course level shall commence until details of the materials to be used in the construction of the external surfaces of the development 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.
- 6) The windows to be created in the first floor side elevations of the dwellings hereby approved shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.
- 7) No construction of dwellings above damp proof course level shall commence until details showing the location, layout, design and method of construction of vehicular access and 4 no. parking spaces have been submitted to and approved in writing by the Local Planning Authority. The vehicular access and 4 no. parking spaces shall be constructed in accordance with those approved details before the development is brought into use and shall thereafter be kept available at all times for the parking of vehicles.
- 8) The development shall not be occupied until a surface water drainage scheme has been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be retained thereafter.

End of Schedule.