



Appeal Decision

Site visit made on 4 February 2020

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/B2002/D/19/3241838

31 Shaw Drive, Grimsby, North East Lincolnshire, England DN33 2JB

- 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 Dr Rawnak Jaibaji against the decision of North East Lincolnshire Council.
 - The application Ref DM/0576/19/FULA, dated 16 June 2019, was refused by notice dated 30 August 2019.
 - The development proposed is a two-storey extension to front, side and rear and extension to front porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (a) the character and appearance of the surrounding area and;
 - (b) the living conditions of the occupiers of Nos 33 and 34 Shaw Drive, and the future occupants of the new dwelling directly to the rear of No 31 Shaw Drive, having particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is a 2-storey detached dwelling situated within a cul-de-sac, consisting mainly of detached residential properties of a similar age and style.
4. The appeal proposal would result in the construction of a single-storey and 2-storey extension to the side, a first-floor extension to the rear and an extension to the front to enlarge the porch.
5. The boundary of the host property presently consists of a brick wall, approximately 2m high, which encloses the rear and side gardens. The proposed side extensions would be built out level with this boundary wall, which lies on the south eastern elevation of the appeal property. This would adjoin the public footway opposite Nos 33 and 34 Shaw Drive.

6. The footprint of the proposed side extensions would stretch from level with the front of the host dwelling, to within approximately 1m of the rear boundary wall. The 2-storey element of this development would have a maximum height of approximately 7.4m to the extended gable ridge and about 5m to the eaves. I acknowledge that the existing boundary wall already provides a hard brick edge to this appeal property. However, this proposal would lead to almost another 16.15 square metres of additional solid brick wall being exhibited on this side elevation.
7. Consequently, the scale and mass of the new extension would result in a highly dominant structure within the Shaw Drive streetscene. This would be exacerbated by its close proximity to the boundary of the existing footway and the host property's prominent corner position within Shaw Drive. The expanse of blank brickwork along the side elevation of this property would be an incongruous feature, which would be out of keeping with the surrounding properties and streetscape.
8. Reference is made to other housing developments where back edge of pavement development has been constructed. However, I am not aware of the particular circumstances of these developments. In any event, I must consider the appeal scheme on its own merits. The existence of other back edge of pavement development in the area does not justify the harm I have identified.
9. I acknowledge that the design of the development is sympathetic to the host building and would also be designed to preserve the privacy of the neighbouring properties. I have also taken into consideration that there is little specific Council guidance relating to house extensions. However, this does not outweigh the harm I have identified in relation to character and appearance.
10. The proposed development would therefore be detrimental to the character and appearance of the surrounding area. This would be in conflict with policies 5 and 22 of the North East Lincolnshire Local Plan, Planning for Growth 2013-2032, Adopted 2018 (the Local Plan) and Section 12 of the National Planning Policy Framework, 2019 (the Framework). Together these require development to comply with the Local Plan and have a high standard of design in regard to size and scale.

Living Conditions

11. The habitable windows to the front of Nos 33 and 34 Shaw Drive would face directly onto the new flank wall of the appeal property. The distance of these neighbouring properties from the new extension is similar to other dwellings in the area. However, most other properties do not face directly onto a significant area of 2-storey high, solid brick flank wall. The scale and mass of this development would result in a loss of outlook for No 33 and 34, whose existing outlook would be replaced by this visually intrusive and overbearing development.
12. A new housing development has been approved (DM/0770/16/REM) to the rear of No 31. I observed during my site visit that a new dwelling is under construction directly behind the appeal property. However, I consider the separation distance between the 2 properties is acceptable and the new property has no windows that would look onto the appeal site. Therefore, I judge that the appeal development would have little negative effect on the outlook for the future occupants of this new adjacent property.

13. Although I consider there would be little detrimental effect on the outlook of the future occupants of the new house to the rear of No 31 Shaw Drive. I conclude that the proposed development would have a negative impact on the living conditions of Nos 33 and 34 Shaw Drive in regard to outlook. This would conflict with Policy 5 of the Local Plan and Section 12 of the Framework. These require that development complies with the Local Plan and has regard to impact upon neighbouring uses by reason of visual intrusion.

Conclusion

14. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

D Hilton-Brown

INSPECTOR