



Appeal Decision

Site visit made on 17 March 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Ref: APP/B2002/D/22/3309818

260 Humberston Fitties, Humberston, GRIMSBY, North East Lincolnshire, DN36 4EY

- 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 P Hadley against the decision of North East Lincolnshire Council.
 - The application Ref DM/0597/22/FUL, dated 1 July 2022, was refused by notice dated 21 September 2022.
 - The development proposed is the demolition of an existing conservatory and timber outbuilding, alterations and extensions to form additional ground floor accommodation at side and rear, raise in roof height to accommodate bed deck at first floor, addition of charred timber cladding, installation of roof lights and various associated internal and external alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are the effect of the proposed extensions and alterations on:
 - the character and appearance of the Humberston Fitties Conservation Area, and
 - the living conditions of the occupiers of neighbouring chalet No 259, by way of outlook.

Reasons

3. No 260 is a small chalet located on the north side of Anthony's Bank Road within the Humberstone Fitties Conservation Area (CA). The CA is characterised by low-density, single-storey chalets on a variety of plots within an elongated area of land running along the coast to the south of Cleethorpes. The chalets are all of individual style and design, but most are timber clad with low-pitched or flat roofs. The current chalet at No 260 is brick-built, with a pitched roof that runs from front to back, and it has a conservatory attached to its front elevation. There are small sheds on the southern side of the plot, around the rear of the chalet. A low dyke runs to the rear of the plots on Anthony's Bank Road, separating the chalets on this road from those on 2nd Avenue to the rear.

4. The proposal would involve the demolition of the conservatory and sheds; the extension of the chalet to the rear and side; the cladding of the chalet in timber; alterations to the fenestration; and the raising of the height of the chalet by around 1 metre.
5. Policy 5 of the North East Lincolnshire Local Plan (LP) indicates that development proposals will be considered with regard to suitability and sustainability, having regard to, amongst other things, the size, scale, and density of the proposed development, including impacts on areas of heritage value and upon neighbouring land uses by reason of visual intrusion. Policy 22 of the LP indicates that a high standard of sustainable design is required in all developments. The Council expects the design approach of each development to be informed by a thorough consideration of a site's context and the need to achieve protection and enhancement of heritage assets, including character and local distinctiveness.
6. Policy 39 of the LP requires that development proposals should sustain the cultural distinctiveness and significance of North East Lincolnshire's historic urban and coastal environment by protecting, preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings. In addition, proposals should protect the significance of heritage assets, including their setting, through consideration of scale, design, materials, siting, mass, use and views. In addition, the Council has produced a Chalet Design Guide (DG) for the CA, which includes principles and design guidance relating to chalets in the area.
7. The Council contends that the scale and design of the proposed alterations to the chalet would represent an incongruent over-development of the site which would result in an adverse visual impact on the character and appearance of the CA, and which would impact unacceptably on the amenities of neighbours.
8. The appellant contends the Council has over-exaggerated the impact of the proposed development on the character and appearance of the CA and the residential amenity of neighbouring properties, and has been inconsistent in its decision-making with regard to similar proposals in the area, making particular reference to permission granted recently for a new chalet at No 268.

Character and appearance

9. The current chalet would appear to be around 4 metres in height to the ridge. Unlike most other chalets along the road, in the vicinity of the appeal site, it runs east-west through the site such that it projects significantly further forward on the plot than other chalets. The proposal would result in the demolition of the small front conservatory, which would represent an improvement to the relationship between the appeal property and its neighbours. Similarly the use of timber cladding would make the chalet appear more characteristic in design than its current appearance.
10. Despite these improvements, however, the chalet would still project well further forward than the neighbouring chalets to each side, and it would be extended to the rear and side, such that it would be little more than 1 metre away from both the side boundaries and the rear boundary. The DG indicates that extensions should be of a scale and character that reflects the original building, and should not dominate the original, being no more than 50% of the

original floor area. In addition, a minimum of 2 metres should be left to side and rear boundaries, to maintain the open characteristic of 'plotland' development. With regard to the proposed scheme, it would appear that the original building did not include the conservatory, and that the floor area of the extended building would be approaching twice that of the original building without the conservatory. It would also fail to meet the required spacing to the boundary on all three of the side and rear elevations.

11. In this case, the area to the front of the chalet would continue to appear uncharacteristically shallow compared with the rest of the chalets on this frontage, while the current small rear garden would effectively be lost. In addition, the open space to the southern side of the current chalet would be partly built over. I acknowledge that the existing sheds would be removed, but these appear as separate small elements, whereas the rear and side extensions would result in the appeal property appearing as a unified and somewhat over-dominant feature in the context of its surroundings. Moreover, by virtue of its forward position and the prominent front gable above the conservatory, the current chalet already appears as a higher, more bulky building than its neighbours. This would be accentuated, to harmful effect, by raising the roof over a metre and adding an extension almost to the southern side boundary.
12. The resultant extended building would appear significantly out of scale and character with the street scene along Anthony's Bank Road and, by virtue of its height and proximity to the rear boundary, it would also appear out of scale when viewed over the low dyke from 2nd Avenue.
13. I note the existence of the newly built chalet at No 268. It would appear that this is a replacement chalet for an earlier building that was in poor condition, and different principles apply to developments such as this. In any case, it would appear that this replacement chalet is not as high as the proposed chalet at No 260 and has lower eaves. Also, the roof ridge runs across the site, sloping away from the front, making it appear less bulky. Moreover, the front elevation is set further back in its plot than that proposed for the appeal property, and there would appear to be more space to the side boundaries. On the basis of the above, I do not consider that it is a precedent for the proposed extensions and alterations at No 260.
14. In the light of the above, I find that the proposed extensions and alterations would result in a chalet that would appear out of scale and over-dominant on its plot. On this basis, and in the context of its surroundings, it would not preserve or enhance the character or appearance of the CA, and would be harmful to it. Although such harm would be less than substantial, there would be no substantial public benefits to outweigh that harm. The proposal would, therefore, conflict with relevant guidance in the National Planning Policy Framework (The Framework), and with Policies 5, 22 and 39 of the LP.

Living conditions

15. The appeal property lies to the south of No 259. It is currently taller than the chalet at No 259 and projects further forward on the plot. Although the small front conservatory would be removed as part of the proposal, the overall length of the chalet would appear to be slightly longer than the existing building. It would still project further forward than the chalet at No 259 and would, in addition, project further to the rear. Moreover, it would be more than 1 metre taller than it is now. I have no details of potential overshadowing, and I do not

consider that the proposal would result in any significant loss of light to the property at No 259. However, the increased length and height would result in a more bulky and overbearing appearance when viewed from No 259, and therefore represent a more oppressive outlook.

16. I consider that the living conditions of the occupiers of No 259 would be harmed by way of outlook, as a result of the proposed increase in height and length of the appeal building. I do not consider that this would be substantial enough to be a reason, on its own, to dismiss this appeal, but it would add further to the harm identified above to the character and appearance of the CA. In the light of this, I find that the proposal would be harmful to the living conditions of the occupiers of No 259 by way of outlook, albeit only to a limited extent. Nevertheless, it would, therefore, conflict with Policy 5 of the LP.

Conclusion

17. I find that the proposal would be harmful to the character and appearance of the CA and to the living conditions of the occupiers of No 259 by way of outlook. On this basis it would conflict with Policies in The Framework, with Policies 5, 22 and 39 of the LP, and with guidance in the DG. Accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR