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## Appeal Decision

Site visit made on 25 April 2024

**by K Mansell BA (Hons) MPhil TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31.05.2024**

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**Appeal Ref: APP/B2002/Z/23/3333691**

**2 Pinfold Lane, Scartho, Grimsby, North East Lincolnshire DN33 2EW**

- 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 and Mrs C Watts against the decision of North East Lincolnshire Council.
  - The application Ref DM/0686/23/FUL, dated 14 July 2023, was refused by notice dated 11 September 2023.
  - The development proposed is installation of replacement shopfront.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. On 20 December 2023, the Government published an updated version of the National Planning Policy Framework (the Framework). In relation to the main issue in this appeal, Government policy has not materially changed. Therefore, I have not sought the parties' comment upon the updated Framework, but neither party has been prejudiced by my having regard to it.

### Main Issue

3. The main issue is the effect of the proposal on the character or appearance of the Scartho Conservation Area (SCA).

### Reasons

4. The appeal property at 2 Pinfold Lane lies at one end of a small terrace comprising four commercial premises on the ground floor with accommodation above. At street level, each unit has a glazed shopfront of varying proportions and styles, being principally constructed in wood or aluminium, as well as assorted adverts and shutter boxes. Along with other ground floor premises in the vicinity, including those on Pinfold Lane, Waltham Road and Louth Road, these units form part of the Scartho Road Local Centre. The appeal property at No 2 also lies within the SCA where s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
5. Scartho was historically a discrete village settlement. It is now enveloped within the wider urban area of Grimsby. However, from my observations on site, Scartho retains the sense of being a local neighbourhood. Whilst surrounded by housing of varying styles and forms, at its core are the various small parades of shops within

the local centre, including No 2. These are typified by shopfronts largely constructed from traditional materials at street level, the appearance and function of which contribute positively to the character and appearance of the SCA as a whole, and thus its special interest and significance.

6. The existing shopfront to No 2 has three expanses of glass divided by timber mullions, with a timber glazed entrance door to its left side. The appeal scheme would replace this with a uPVC shopfront and door. The vertical tongue and groove cladding below the glazing would be retained. Whilst the original mosaic tiled stallriser and fascia to No 2 is no longer visible, replaced by an earlier timber shopfront that was put in prior to the present one, the existing timber framed shopfront nonetheless has a reasonably slender frame profile to the mullions. Along with the timber door, it retains a natural and traditional finish. It is also reasonably consistent with the shopfronts of immediate neighbouring properties at ground floor level, which I observed to have mainly timber doors and typically slim framing to their ground floor windows.
7. The Council contend that uPVC frames are usually wider to achieve the same strength as timber, and lack the slimmer profile achievable with wood. In the absence of any evidence to the contrary, such as large-scale details, I have no reason to disagree. Furthermore, compared to wood, uPVC typically has a more uniform appearance. The introduction of uPVC to the door and shopfront of No 2 would consequently appear as a modern insertion to the frontage and conspicuous as a result, particularly given the prominent location of the site close to the junction of Pinfold Lane with Louth Road. It would be sufficiently noticeable at street level to constitute harm to the character and appearance of the building and therefore, to the SCA.
8. The appellant has drawn my attention to recent approvals for replacement uPVC and aluminium shopfronts, doors and windows to 35, 42 and 46 Louth Road. However, I have not been provided with the details of these planning permissions, nor their history. Consequently, I cannot be certain as to what these schemes were replacing or the other detailed considerations that applied in those cases. In any event, I must determine this appeal on its own individual merits having regard to the particular characteristics of the appeal site. I recognise that the first floor to No 2 has uPVC windows to which the appeal scheme would reasonably relate in their design. They are also evident on the upper floors to other units within the terrace and to surrounding residential houses. Nevertheless, these are not at street level within a retail parade where the use of uPVC is not widespread nor evident on those shopfronts within the immediate vicinity. The introduction of a uPVC shopfront within this context would appear incongruous and would fail to make a positive contribution to the SCA.
9. For these reasons, I consider that the proposal would fail to preserve or enhance the character or appearance of the SCA. Given its modest scale, in the terms of the Framework, I am satisfied that the harm to the significance of the SCA as a whole would be less than substantial. Having regard to Paragraph 208 of the Framework, such harm should then be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
10. I appreciate the appellant's assertion that a uPVC shopfront would be a more thermally efficient and longer lasting installation than timber, which may also overcome existing issues with condensation and damp as a result of the presently

single glazed shopfront. However, I have no substantive evidence before me to demonstrate that a uPVC shopfront would noticeably outperform a well installed and maintained timber shopfront. Accordingly, I attribute very limited weight to this potential benefit. Whilst uPVC may also offer a lower maintenance solution in comparison to wood, this would be a private benefit rather than a public one. I am also mindful that paragraphs 205 and 206 of the Framework advise that great weight should be given to the conservation of a designated heritage asset and any harm to its significance should require clear and convincing justification. When taken together, the very limited public benefits that I have identified would not amount to that and consequently, they would not outweigh the less than substantial harm to the significance of the SCA that I have identified.

11. I therefore conclude that the proposal would have a harmful impact on the character and appearance of the SCA, which, it follows, would not be preserved or enhanced. Accordingly, it would conflict with the Act and be contrary to Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). These policies require, amongst other matters, that development proposals have regard to areas of heritage and more specifically, to protect the significance of heritage assets through consideration of design and materials, to at least conserve townscape features, and preserve and enhance the special character and architectural appearance of Conservation Areas. It would also conflict with guidance at Sections 12 and 16 of the Framework, which generally promote the importance of good design and the conservation and enhancement of the historic environment.

### **Conclusion**

12. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

*K Mansell*

INSPECTOR