



Appeal Decision

Site visit made on 23 September 2024

by Sarah Colebourne MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2024

Appeal Ref: APP/Y2003/D/24/3346707

16 Meadow Vale, Scawby, DN20 9EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Watson against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/164.
 - The application sought planning permission for a two-storey side extension to form annex without complying with a condition attached to planning permission Ref PA/2023/1270, dated 23 August 2023.
 - The condition in dispute is No 2 which states that: *The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan AW/23/01, block plan- AW/23/02A, proposed elevation- AW/23/06 Rev A, proposed floor plans AW/23/05 Rev A.*
 - The reason given for the condition is: *For the avoidance of doubt and in the interests of proper planning.*
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension to form annex at 16 Meadow Vale, Scawby, DN20 9EW in accordance with the application Ref PA/2024/164, without compliance with condition number 2 previously imposed on planning permission Ref PA/2023/1270 dated 23 August 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from 23 August 2023.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:- W/02/02/035/23; W/01/02/035/23.
 - 3) The dependent relatives' annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '16 Meadow Vale, Scawby, Brigg, DN20 9EW.

Main Issue

2. The main issue is the effect that the variation of condition no 2 of the approved scheme would have on the character of the dwelling and the appearance of the area.

Reasons

3. Permission was granted by the Council in 2023 for a two storey side extension to form an annex to the dwelling. The applicant wishes to change the design of that extension by the proposed variation of the compliance with the plans condition of that permission.
4. The appeal dwelling is located within a small estate of dwellings that appear to have been built during the 1970's or 1980's. The two storey dwellings in Meadow Vale were built mostly with either a wide, shallow plan form with a pitched roof or a narrower and deeper plan form with a pitched roof in either red or brown brick with mock-Georgian style windows. Whilst the dwellings were built in a consistent style, that style has no particular architectural merit and there are examples of dwellings that have been altered at 10 The Rookery, 10 Mill Croft and 18 Meadow Vale, albeit to a lesser degree than proposed here.
5. No 16 is sited at the far end of a row of dwellings and accessed from a long drive from a bend in the road. As such it is set back from the road in a discreet position and is not prominent within the street scene. The proposal would extend the dwelling to the side, projecting forward of the existing front elevation with a lower hipped roof over the front projection. The differences from the previously approved design include extending the existing ridge line and extending further forward of the front elevation. There would be no windows in the front elevation of that projection and a bay window in the side elevation. The elevations of the existing part of the dwelling would be rendered and the extension would have a brick finish.
6. The proposed scheme does not attempt to reflect the existing style of the dwelling but achieves a stronger sense of unity and proportion than could be achieved by mimicking the existing style. The lower hipped roof would be sufficiently subordinate to the main ridge and the continuation of the main ridge is a more cohesive solution than a break in that ridge. It would result in an attractive, well-balanced dwelling that would also provide a modern, adaptable home for an extended family with some energy consumption benefits. Given the unobtrusive siting of this dwelling, I conclude that the proposed design represents a positive addition that would not detract from or cause significant harm to the character and appearance of the street scene or the area.
7. As such, it would accord with development plan policies DS1 and DS5 of the North Lincolnshire Local Plan (2003) and policy CS5 of the North Lincolnshire Core Strategy (2011) which together seek to ensure that development creates high quality streetscapes and reflects or enhances the character and appearance of the immediate area. It would also accord with the National Planning Policy Framework which has similar objectives.

Conditions

8. The guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. The time limit condition must accord with that of the original permission (Ref PA/2023/1270) and that remains necessary and relevant because the development has not yet commenced. The compliance with the plans condition will reflect the new scheme proposed here and is necessary to provide

certainty. The occupation of the annex condition remains relevant and necessary as the proposed extension is an unacceptable form of residential accommodation for occupation as a separate independent dwelling.

Conclusion

9. For the reasons given above, I conclude that the proposal is in accordance with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

INSPECTOR