



Appeal Decisions

Site visit made on 18 March 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 April 2025

Appeal A Ref: APP/A2525/W/24/3349960

75 Church Street, Pinchbeck, Spalding, Lincolnshire PE11 3YA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr N Odedra against the decision of South Holland District Council.
 - The application Ref is H14-0222-24.
 - The development proposed is external alterations including new frontage, the installation of shutters, and installation of condensing units.
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Decision

1. The appeal is allowed and planning permission is granted for external alterations including new frontage, the installation of shutters, and installation of condensing units at 75 Church Street, Pinchbeck, Spalding, Lincolnshire PE11 3YA in accordance with the terms of the application, Ref H14-0222-24, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The proposal involves several elements, but it is only the roller shutter that features in the Council's refusal reason. I have no reason to find the other uncontested elements of the scheme unacceptable.
3. The appeal site is within a conservation area wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
4. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and updated on 7 February 2025. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. As a result, I consider that there is no requirement for me to seek further submissions in respect of these matters, and I am satisfied that no party's interests would be prejudiced by my taking this approach.

Main Issue

5. The main issue is whether the proposed roller shutter would preserve or enhance the character or appearance of the Pinchbeck Conservation Area (CA).

Reasons

6. The CA is a relatively large area that covers a predominantly residential area, although I also observed a number of commercial uses, shops, park and church.

From my observation the CA derives some of its special character and significance from the historic and aesthetic value of its architecture.

7. Property types vary throughout the CA, and in the locality of the appeal site. No 75 is a detached single storey building set back from the highway behind a deep hardstanding. To the north of the appeal site lies two storey dwellings of late 19th and mid-20th century and to the south of the appeal site lies 20th century suburban housing. The existing property is of modern materials and a utilitarian design, with a flat roof. Its overall form and appearance are at odds with the historic character of the CA, and thus fails to make a positive contribution to the heritage asset.
8. The application form indicates that the roller shutter would be painted metal in a grey colour. Although roller shutters are not commonplace in the locality I observed garage doors on adjacent properties. When in its descended position the roller shutter would not be dissimilar in scale or appearance to these garage doors. Furthermore, given the location of the appeal building set back from the highway the roller shutter would not be highly prominent and would not be an incongruous addition to the streetscene. Accordingly, the proposal would not harm the significance of the CA, and therefore the proposal satisfies the requirements of the Act.
9. For the reasons stated above, I conclude that the proposed development would not be harmful to the character and appearance of the area and would preserve the Pinchbeck CA. As such the proposal would accord with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan 2019. Collectively, and amongst other things, these policies seek to promote good design and conserve, and where possible, enhance heritage assets. It would also accord with the Framework insofar as it relates to heritage assets.

Other Matters

10. Given the orientation of the building, relative to neighbouring properties, I am not persuaded that the proposal, including the visual appearance of the roller shutter, would materially harm the outlook afforded to the occupiers of neighbouring properties to justify refusal of the proposal on such grounds.
11. Third parties have raised concerns regarding noise from the proposed condensing units. These would be located to the rear elevation of the building and there is no substantive evidence before me to lead me to a view that they would materially harm the living conditions of the adjacent occupiers. The Council has not raised concern in respect of this element of the proposal, and I have no reason to reach a different view.
12. I have had special regard to whether the settings of nearby listed buildings would be preserved, notably the Grade II listed Pinchbeck Hall, located to the west of the appeal site and the Grade I listed Church of St Mary to the south. However, the location of the appeal scheme and the nature of the proposals relative to these listed buildings leads me to the view that their settings would be preserved.
13. My attention has been drawn to an earlier dismissed appeal¹ relating to the property. From the information before me, whilst there are similarities in terms of the external alterations to the appeal building, the proposal related to a different

¹ APP/A2525/W/23/3316411

description of development. In any event I have reached my own conclusions in relation to the evidence before me.

Conditions

14. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the submitted plans in the interests of clarity. The external finish/materials are set out on the drawings, and application form, it is therefore not necessary to include a planning condition to this effect.

Conclusion

15. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

R Gee

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: 2726 AL0102 PO2 – Proposed Location Plan, 2726 AB0801 PO3 – Proposed Ground Floor Plan and Elevations, 2726 AL0101 PO2 – Proposed Block Plan and Condensing Unit Specification as per the submitted KD Total Cooling Package.

*****End of Schedule*****