



Appeal Decision

Site visit made on 10 June 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/E2530/D/25/3364831

2 Dimmock Close, Harlaxton, Lincolnshire, NG32 1HG

- 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 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by R and N Clarke against the decision of South Kesteven District Council.
 - The application Ref is S24/2055.
 - The application sought planning permission for a two storey side and front extension. Ground floor rear extension of the dwelling without complying with a condition attached to planning permission Ref S23/1119, dated 9 October 2023.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following list of approved plans (plans i. to v. listed).
 - The reason given for the condition is: To define the permission and for the avoidance of doubt.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant states that, as a consequence of a change to a proposed first floor window to a projecting window, a Section 73 application was made to obtain retrospective consent so that it could be retained.
3. The appeal property is located adjacent to the Harlaxton Conservation Area and the Grade II Listed Horseshoe Cottage. The Council is satisfied that the development does not result in any harm to the significance of heritage assets.

Main Issue

4. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal property is a modern detached two storey dwelling that has been extended. It is located within a small residential cul-de-sac comprising detached two storey dwellings and bungalows.
6. The appeal dwelling, like other dwellings in the cul-de-sac, is set back from the road behind a garden and driveway and has a garden to the rear. The presence of gardens, grass verges and street trees provide for a green and spacious local character.

7. Further, during my site visit, I observed that neighbouring dwellings in the cul-de-sac share many design features resulting in the two storey dwellings appear similar to one another and the bungalows appearing similar to one another. This presents the area with an attractive sense of uniformity.
8. The appeal dwelling has been extended and this has resulted in a markedly different appearance to neighbouring dwellings. Perhaps most noticeably, unlike other two storey dwellings along Dimmock Close, the appeal dwelling has a large projecting gable to its front elevation.
9. The siting, height and projection of the gable results in it appearing prominently in its surroundings. Consequently, as a large projecting bay to the front gable at first floor height, the development draws the eye to a significant degree, as it comprises a further projection from a gable which itself is a highly prominent feature along Dimmock Close.
10. The harm arising from the above is exacerbated as a result of the appearance of the development. The oriel window with a canopy above the glazing draws the eye as a large and incongruous feature unlike any other within the cul-de-sac. The window appears unsympathetic to the host dwelling and out of keeping with its surroundings.
11. Taking the above into account, I find that the development harms the character and appearance of the area, contrary to the National Planning Policy Framework and to South Kesteven Local Plan (2020) Policy DE1, which together amongst other things, seek to protect local character.

Other Matters

12. The appellant refers to carrying out a community consultation exercise prior to submitting a variation application and notes that no objections were received at that stage. I note this but as above, I have found that the development results in harm and hence the decision below.
13. The appellant considers that development allowed under permitted development rights would result in a similar or far higher degree of visual change than does the development the subject of this appeal. Whether or not this is the case, I have found that the development harms local character and this is not something that is altered or mitigated by permitted development rights.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR