



Appeal Decision

Site visit carried out on 11 November 2025

by Jennifer Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/D2510/D/25/3373219

94 Mount Pleasant Avenue, Louth, Lincolnshire LN11 9DJ

- 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 Mrs Nereina Siddle against the decision of East Lindsey District Council.
 - The application No is 00396/25/FUL.
 - The development proposed is described on the planning application form as the creation of a bay type area to the front of the property, with French doors to the front elevation.
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Decision

1. For the reasons that follow, the appeal is dismissed.

Preliminary Matters

2. Whilst both the Design and Access Statement and the description of development set out above (which is taken from the application form) refer to French doors, the submitted plans show a window to the front, of similar dimensions to the existing front window at the property. I confirm, in this regard, that I have dealt with the appeal on the basis of the submitted plans.
3. The grounds of appeal indicate a willingness to use the same brick for the bay as is used on the house, to replace the existing pitched roof over the porch with a flat roof and to use a flat roof on the extension. However, I am required to deal with the appeal on the basis of the same plans that informed the Council's decision, which I have done. Any revised scheme would need to be the subject of a separate application which would need to be considered by the Council in the first instance.

Planning History

4. In 2024, planning permission was sought for an extension to the living room beneath a canopy across the frontage. The extension was the same depth as the existing porch and would have extended up to the shared boundary with No 96. Permission was refused on the grounds of harm to the character and appearance of the area (N/105/01520/24). The subsequent appeal was dismissed.¹

Main Issue

5. The main issue in this case relates to the effect of the proposed development on the character and appearance of the area.

Reasons for the Decision

6. No 94 comprises a two-storey dwelling within a short terrace of four properties. The street is characterised along both sides by similar, evenly spaced terraced

¹ APP/D2510/D/24/3358088 The decision records that the pitch-roofed canopy and supporting wall was unlawful.

blocks of four, the vast majority of which have simple, flat-roofed upvc porches to the front, arranged as pairs to the middle two properties in each terrace, with single porches to the properties at each end. As noted by the previous Inspector, the terraced blocks and their porches give the street scene a strong rhythm and homogenous character. Whilst there are some exceptions (including properties with no porches, or where the porches have been slightly altered) and notwithstanding that a couple have shallow bay windows, I saw that the street retains a distinctively cohesive and planned character and appearance that presents a strong visual harmony.

7. It is proposed to construct a bay extension to the front of the property, to the same depth as the existing porch, beneath a matching shallow mono-pitch roof. Unlike the previous scheme, which extended up to the shared boundary with the adjoining end terrace property to the north (No 95), the bay would be set in just over a metre from the shared boundary.
8. Although the canopy and wall referred to in the previous appeal were not in place at the time of my visit, the appeal property still differs markedly from the prevailing character of the street. The front wall of the property and the front boundary wall are painted cream. The porch, which is wider than most of the other porches, extending up to the side of the front window, is faced in cream painted stone and has a mono-pitch roof over - the adjoining porch to No 93, and the porches to the properties at each end of this terrace, are the smaller flat-roofed upvc porches that characterise the street. The boundary between No 94 and 95 comprises horizontal green coloured boarding with a trellis on top, extending to around half the height of the existing front window - other boundary treatments in the vicinity of the appeal property generally comprise low timber fencing or vegetation.
9. Whilst other streets may be visible from the appeal property, where the dwellings are of a different design, including semi-detached dwellings, they do not impact on the broadly consistent architectural style of the properties on Mount Pleasant Avenue. Whilst this is not a Conservation Area, the extension proposed would, nonetheless, comprise an incongruous addition to No 94 that would accentuate the already markedly different appearance of the dwelling. It would further disrupt the otherwise pleasing rhythm and design of this terraced block, with consequent harm to the generally cohesive appearance of the street. That brings the proposal into conflict with policy SP10 of the East Lindsey Local Plan Core Strategy (July 2018) which among other things seeks to maintain and enhance the character and appearance of an area. There would be conflict to with paragraph 135 of the National Planning Policy Framework, which seeks to protect similar interests.

Other Matters

10. The bathroom to the appeal property is on the ground floor, whilst the bedrooms are upstairs. Consequently, access to the bathroom can be tricky at night. I understand that the extension is required to help meet the needs of an individual family member in this regard. Whilst I do not know the nature of that need, I have treated it as relating to a disability, a protected characteristic under the Equality Act 2010 to which the Public Sector Equality Duty (PSED) applies and to which I have had due regard. I am also mindful of Article 1 of the First Protocol and Article 8 as set out under the Human Rights Act 1998 (HRA), which require that decisions ensure respect for private and family life and the home.

11. Whilst the proposed development may provide more suitable accommodation to meet the needs of a family member, it does not follow from the PSED that the appeal should necessarily succeed. I have very little evidence in this case as to how the extension proposed would meet any needs, nor how it would improve accessibility within the property. In the absence of any substantiated evidence in this regard, I have no way of knowing whether this proposal is the only means of improving the appellant's home to meet that need or to demonstrate that they could not be met in a less visually harmful way. In my view, the harm that would be caused to the character and appearance of the area outweighs the proposal's benefits in terms of eliminating discrimination against persons with a protected characteristic. Moreover, whilst dismissing the appeal could interfere with the appellant's human rights, these are qualified rights such that an interference may be justified where that is lawful and in the public interest. In this case, I consider that interference with those rights would be in accordance with the law and in pursuance of the well-established and legitimate aim of protecting the character and appearance of an area.
12. In support of the appeal, reference is made to the possibility of different porches being erected, or side extensions being constructed to the side of end of terrace properties in the street under permitted development rights which, it is argued, could potentially change the homogenous character and appearance of the area. It is also suggested that six foot fencing could be erected to either side of the front garden between the appeal site and its neighbours to either side and/or that other residents might choose to paint the fronts of their properties all of which, it is argued, would have a more damaging impact on the area than the extension proposed. I quite appreciate that the exercise of permitted development rights can change the character of properties. However, there is no substantiated evidence that any such extensions or alterations are currently envisaged, or that they would necessarily have the same impact on the established street scene as would the extension proposed. This is not a consideration therefore, that attracts any positive weight in favour of the proposal, which I have considered in the light of its current site-specific context.
13. I appreciate that no objections from neighbouring occupiers were received in relation to the planning application. However, that could be for any number of reasons and does not equate necessarily to support for a proposal. The absence of objections is thus a neutral factor in the determination of this appeal.

Conclusion

14. I have found that the development proposed would cause material harm to the established character and appearance of the area, contrary to the provisions of the development plan. Other material considerations in this case, including the personal circumstances of the appellant's family do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons stated above, I therefore conclude on balance that the appeal should not succeed.

Jennifer A Vyse
INSPECTOR