

Appeal Decision

Site visit made on 22 August 2024

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2024

Appeal Ref: APP/A2525/D/24/3346894

Bridge Farm, Old Fendike Road, Weston Hills, Spalding, Lincs PE12 6DD

- 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 and Mrs A Boor against the decision of South Holland District Council.
 - The application Ref H16-0246-24 dated 18 March 2024, was refused by notice dated 14 May 2024.
 - The development proposed is extension and alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

3. The appeal property is a detached dwelling with associated detached double garage. The design of the dwelling, although of modern construction, is of a strong traditional farmhouse character. A two-storey range is incorporated to the rear along with a sizeable rear and side garden. The property is separated from others on the edge of Weston Hills and is immediately surrounded by farmland. The overall character of the area is of flat open farmland punctuated by occasional farms, houses and small settlements.
4. Weston Hills is characterised by a linear arrangement of residential dwellings of varying ages, scale and design. Red brick construction is common, but there are some examples of the use of other materials.
5. The two-storey projection proposed to be added to the front elevation of the appeal property would be prominent and would address the road. By way of its modern design approach incorporating horizontal cladding and a large angular window opening, it would appear as an incongruous modern addition to the property which would jar with its otherwise traditional farmhouse character, which includes red brick construction and arched window surrounds at ground floor. Given its prominence, I find that this element of the proposal would be harmful to the character and appearance of the area.
6. It is stated that there are other examples of such projections and the use of cladding in the area, but I have not been directed to any specific examples. I

observed that limited numbers of dwellings in Weston Hills exhibit such features, but these examples were incorporated into dwellings of a more modern design approach, and were not reflective of the character of the appeal property. I therefore afford them limited weight in my considerations.

7. I observed that the appeal property currently contains UPVC windows and doors. The Council has advised that a condition attached to the original planning permission for the dwelling stated that windows should be of timber construction and retained as such. However, the lawfulness of the existing UPVC windows is not a matter within the scope of this appeal, and the presence of any condition relating to the use of timber windows does not indicate, in itself, that the use of UPVC within the proposal would be harmful.
8. The use of black UPVC windows would result in the appeal property having a more modern appearance than the existing timber effect UPVC windows, or indeed, timber windows. However, notwithstanding the harm I have found as a result of the window form and cladding of the proposed front projection, the use of black UPVC windows, in itself, would not fundamentally alter the form or character of the property to an extent to which it would be harmful.
9. The proposed link between the dwelling and existing garage would take the form of a carport with pitched roof accommodation above. Its height would remain below the ridge heights of both the existing garage structure and the dwelling. It would have the effect of elongating the front elevation of the dwelling, however the subservient height and proposed design would mean that it would appear as an extension to the garage rather than the main dwelling.
10. Moreover, the use of the ground floor area as a car port would further reduce the visual bulk of this element. Overall, along with the proposed two-storey front extension, the composition would remain subservient to the appeal property in terms of its scale.
11. To the rear of the property, it is proposed to infill a current patio area with a large single storey extension, as well as a two-storey addition to the existing rear projection. Together these elements would amount to sizeable extensions, however they would not be prominent as the property is well separated from others and is surrounded by farmland to the north, east and west.
12. When taken as a whole the proposal would amount to a significant level of extension to the existing property. However, it is detached and sits within its own setting. It is not read, to any significant extent, in the context of other dwellings which are some distance away and vary in scale and design, and include on the northern side of Old Fendike Road, other large, detached dwellings. As a result, the proposal would not result in it appearing as excessively large, particularly in a landscape, which although open and flat, is punctuated by detached properties and farm holdings.
13. Overall, however, I find that the proposal would be harmful to the character and appearance of the area. It would be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan 2011 – 2036, which together and amongst other factors state that new development will be permitted providing that it meets sustainable development considerations in relation to quality of design and its effect on the character and appearance of the area, and expect all development to be of a high quality design.

14. It would also be contrary to advice contained within Section 12 of the National Planning Policy Framework which highlights the importance of high quality and beautiful places, and Paragraph 57 of the National Design Guide which requires the materials for developments to be selected with care for their context.

Other Matters

15. The appeal proposal would aid the appellants in their care of a family member with a protected characteristic. I have therefore had regard to Article 8 of the Human Rights Act 1998 and the Public Sector Equality Duty set out at Section 149 of the Equality Act 2010. However, it has not been shown that the appeal proposal is the only means of achieving the stated benefits, and in particular these benefits do not appear to be reliant on the specific window design and materials proposed for the two-storey front extension, which are the elements of the scheme that I have found to be harmful. Given these factors, I give the cited circumstances modest weight in favour of the proposal.
16. The harm that I have identified outweighs the benefits of the proposal in terms of eliminating discrimination against persons with the protected characteristic of disability, advancing equality of opportunity for those persons and fostering good relations between them and others.
17. I note that the appellants have indicated that the proposed front extension could be of brick construction, however the Appeals Procedural Guide advises that the appeal process should not be used as a means to evolve a scheme. In any event, the use of brickwork would not wholly overcome the harm that I have identified.
18. It is stated that a neighbouring agricultural building could be converted to a residential property under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and that in such circumstances, the use of cladding at the appeal property would blend with the brick and corrugated cladding construction of the converted agricultural building.
19. However, there is no substantive evidence before me in relation to the likelihood of such a scheme coming forward or the form any such scheme would take. In any event, the presence of the agricultural building would not overcome the concerns I have stated in terms of the use of horizontal cladding jarring with the traditional character of the appeal property. I therefore afford this factor very limited weight.

Conclusion

20. The proposal would conflict with the development plan when read as a whole and there are no material considerations, including the appellants' family circumstances, that would outweigh that conflict. Therefore, the appeal is dismissed.

C Harding

INSPECTOR